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Prison labor in the  
governors' messages...

New York

1913

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1913

PRISON LABOR LEAFLETS

NUMBER EIGHT

PRISON LABOR  
IN  
THE GOVERNORS' MESSAGES  
1912-1913

NEW YORK  
NATIONAL COMMITTEE ON PRISON LABOR  
University Hall, Columbia University  
1913  
PRICE TWENTY-FIVE CENTS.

**D**ISCUSSIONS of Capital Punishment, Indeterminate Sentence, Parole and Pardon have been reserved for future publication.

## INDEX OF PRINCIPAL TOPICS.

### ADMINISTRATION.

#### Reorganization of Board of Control.

	PAGE.
JOSEPH T. ROBINSON, Arkansas.....	10
JOHN M. HAINES, Idaho.....	19
JAMES B. McCREARY, Kentucky*	25
HERBERT S. HADLEY, Missouri.....	37
JOHN N. MOREHEAD, Nebraska.....	49
TASKER L. ODDIE, Nevada.....	43
WOODROW WILSON, New Jersey*	45
WILLIAM C. McDONALD, New Mexico.....	46
OSWALD WEST, Oregon.....	58
ARAM J. POTIER, Rhode Island.....	63
BENJAMIN W. HOOPER, Tennessee.....	78
WILLIAM E. GLASSCOCK, West Virginia.....	91

#### Increased Powers for Board of Control.

ARAM J. POTIER, Rhode Island.....	62
ERNEST LISTER, Washington.....	90
FRANCIS E. McGOVERN, Wisconsin.....	96

#### Restrictions on Board of Control.

JOHN N. MOREHEAD, Nebraska.....	41
FRANK M. BRYNE, South Dakota.....	72

#### Efficiency in Business Management.

HIRAM W. JOHNSON, California.....	13
BERYL F. CARROLL, Iowa.....	25
AUSTIN L. CROTHERS, Maryland*	29
E. F. NOEL, Mississippi*	35
JOHN N. MOREHEAD, Nebraska.....	41
JAMES M. COX, Ohio.....	51
BENJAMIN W. HOOPER, Tennessee.....	70
WILLIAM E. GLASSCOCK, West Virginia.....	91

#### Elimination of Politics from Penal Institutions.

JAMES B. McCREARY, Kentucky.....	26
TASKER L. ODDIE, Nevada.....	42
OSWALD WEST, OREGON.....	58
OSCAR B. COLQUITT, Texas.....	72

\*1912.

## HOUSING AND CARE OF PRISONERS

### **Investigation of Conditions.**

BERYL F. CARROLL, Iowa.....	21
HERBERT S. HADLEY, Missouri.....	39
WILLIAM SULZER, New York.....	49
JAMES M. COX, Ohio.....	51
COLE L. BLEASE, South Carolina.....	66

### **Appropriations for Improvements.**

PARK TRAMMELL, Florida.....	16, 18
WILLIAM C. McDONALD, New Mexico.....	47
WILLIAM SULZER, New York.....	50
JAMES M. COX, Ohio.....	52
FRANK J. POTTER, Rhode Island.....	63
ERNEST LISTER, Washington.....	87
JOSEPH M. CAREY, Wyoming.....	100

### **Per Capita Cost of Prisoners.**

WUSTIN L. CROTHERS, Maryland*.....	29
LEE CRUCE, Oklahoma.....	55
WILLIAM SPRY, Utah.....	83
WILLIAM E. GLASSCOCK, West Virginia.....	92

### **Congregate Method.**

JOHN K. TENER, Pennsylvania.....	62
----------------------------------	----

### **Tuberculosis Hospital.**

HERBERT S. HADLEY, Missouri.....	39
ENJAMIN W. HOOPER, Tennessee.....	77

### **Improvement in Transportation of Prisoners.**

LEE CRUCE, Oklahoma.....	57
CZWALD WEST, Oregon.....	61

### **Improvement in Care of First Offenders.**

FIRAM W. JOHNSON, California.....	11
JOHN N. MOREHEAD, Nebraska.....	41
LEE CRUCE, Oklahoma.....	54
CZWALD WEST, Oregon.....	59
ENJAMIN W. HOOPER, Tennessee.....	73
OSCAR B. COLQUITT, Texas.....	79
ERNEST LISTER, Washington.....	88

### **Improvement in Care of Women Prisoners.**

BERYL F. CARROLL, Iowa.....	25
GEORGE M. BROWN, Georgia.....	19
WOODROW WILSON, New Jersey*.....	46
JOHN K. TENER, Pennsylvania.....	61

\*1912.

### **Improvement in Care of County and City Prisoners.**

GEORGE M. BROWN, Georgia.....	19
BERYL F. CARROLL, Iowa.....	24
EUGENE N. FOSS, Massachusetts.....	32
OSCAR B. COLQUITT, Texas.....	82
WILLIAM HODGES MANN, Virginia*.....	84
WILLIAM E. GLASSCOCK, West Virginia.....	94
FRANCIS E. McGOVERN, Wisconsin.....	97

### **EMPLOYMENT OF PRISONERS**

#### **Abolition of Contract System.**

HERBERT S. HADLEY, Missouri.....	38
JOHN N. MOREHEAD, Nebraska.....	42
FRANK M. BRYNE, South Dakota.....	68
FRANCIS E. McGOVERN, Wisconsin.....	95

#### **Abolition of Lease System.**

PARK TRAMMELL, Florida.....	15
OSCAR B. COLQUITT, Texas.....	81

#### **Investigation of Lease System.**

JOSEPH T. ROBINSON, Arkansas.....	11
-----------------------------------	----

#### **Development of Public Account System.**

BERYL F. CARROLL, Iowa.....	23
LEE CRUCE, Oklahoma.....	56
FRANK M. BRYNE, South Dakota.....	71
ERNEST LISTER, Washington.....	89

#### **Construction Work.**

LEE CRUCE, Oklahoma.....	54
WILLIAM SPRY, Utah.....	83
JOSEPH M. CAREY, Wyoming.....	100

#### **Farm Work.**

PARK TRAMMELL, Florida.....	16-17
BERYL F. CARROLL, Iowa.....	23
ADOLPH O. EBERHART, Minnesota.....	34
E. F. NOEL, Mississippi*.....	35
HERBERT S. HADLEY, Missouri.....	39
JOHN N. MOREHEAD, Nebraska.....	42
TASKER L. ODDIE, Nevada.....	43
WILLIAM C. McDONALD, New Mexico.....	46, 48
JAMES M. COX, Ohio.....	53
JOHN K. TENER, Pennsylvania.....	62
FRANK M. BRYNE, South Dakota.....	68, 70
ENJAMIN W. HOOPER, Tennessee.....	76
WILLIAM HODGES MANN, Virginia.....	84
WILLIAM E. GLASSCOCK, West Virginia.....	93

\*1912.

**Road Work.**

GEORGE W. HUNT, Arizona.....	10
JOSEPH T. ROBINSON, Arkansas.....	11
ELIAS M. AMMONS, Colorado.....	13
SIMEON E. BALDWIN, Connecticut.....	13
PARK TRAMMELL, Florida.....	15
JOSEPH M. BROWN, Georgia.....	18
EDWARD F. DUNNE, Illinois.....	20
BERYL F. CARROLL, Iowa.....	21, 23, 24
JAMES B. McCREARY, Kentucky.....	28
AUSTIN L. CROTHIERS, Maryland.....	28
HERBERT S. HADLEY, Missouri.....	38
ELLIOTT W. MAJOR, Missouri.....	40
JOHN N. MOREHEAD, Nebraska.....	42
TASKER L. ODDIE, Nevada.....	43
WILLIAM B. McDONALD, New Mexico.....	48
L. B. HANNA, North Dakota.....	50
JAMES M. COX, Ohio.....	53
OSWALD WEST, Oregon.....	59
FRANK M. BRYNE, South Dakota.....	68
BENJAMIN W. HOOPER, Tennessee.....	74, 75
WILLIAM SPRY, Utah.....	82
WILLIAM HODGES MANN, Virginia*.....	84, 85
ERNEST LISTER, Washington.....	90
FRANCIS E. McGOVERN, Wisconsin.....	95
JOSEPH M. CAREY, Wyoming.....	99

**Stat: Use.**

HERBERT S. HADLEY, Missouri.....	39
JOHN N. MOREHEAD, Nebraska.....	42
OSWALD WEST, Oregon.....	60
WILLIAM HODGES MANN, Virginia*.....	87
ERNEST LISTER, Washington.....	88

**Increased Receipts from Prisoners' Labor.**

ROBERT P. BASS, New Hampshire.....	45
ARAM J. POTIER, Rhode Island.....	63
WILLIAM E. GLASSCOCK, West Virginia.....	94

**PUNISHMENTS.**

SIMEON S. PENNEWILL, Delaware.....	14
Dec:ase in Punishment.	
HERBERT S. HADLEY, Missouri.....	39

**MEASURES FOR REFORM.**

Inve:igation into Causes of Crime.	
HERBERT S. HADLEY, Missouri.....	37
OSWALD WEST, Oregon.....	57

\*1912

**Reformation, Not Punishment.**

GEORGE W. P. HUNT, Arizona.....	9
HIRAM W. JOHNSON, California.....	12
JAMES B. McCREARY, Kentucky.....	27
EUGENE N. FOSS, Massachusetts*.....	30
ADOLPH O. EBERLARUD, Minnesota.....	33
HERBERT S. HADLEY, Missouri.....	38
JAMES M. COX, Ohio.....	52
FRANK M. BRYNE, South Dakota.....	67
BENJAMIN W. HOOPER, Tennessee.....	75
JOSEPH M. CAREY, Wyoming.....	98

**Recent Reforms.**

HIRAM W. JOHNSON, California.....	11
HERBERT S. HADLEY, Missouri.....	37
BENJAMIN W. HOOPER, Tennessee.....	76
OSCAR B. COLQUITT, Texas.....	80

**Opportunity for Education.**

BERYL F. CARROLL, Iowa.....	23
EUGENE N. FOSS, Massachusetts*.....	30
F. M. BRYNE, South Dakota.....	72
BENJAMIN W. HOOPER, Tennessee.....	75
WILLIAM E. GLASSCOCK, West Virginia.....	93

**Industrial Education.**

HIRAM W. JOHNSON, California.....	13
BERYL F. CARROLL, Iowa.....	22
ADOLPH O. EBERLARUD, Minnesota.....	35
E. F. NOEL, Mississippi*.....	36
HERBERT S. HADLEY, Missouri.....	38, 39
ELLIOTT W. MAJOR, Missouri.....	40
JOHN N. MOREHEAD, Nebraska.....	42
WILLIAM C. McDONALD, New Mexico.....	47
LEE CRUCE, Oklahoma.....	56
JOHN K. TENER, Pennsylvania.....	61
ERNEST LISTER, Washington.....	88, 89
FRANCIS E. McGOVERN, Wisconsin.....	96

**Grading of Prisoners.**

HIRAM W. JOHNSON, California.....	12
EUGENE N. FOSS, Massachusetts*.....	30

**Credits for Prisoners.**

LEE CRUCE, Oklahoma.....	55
F. M. BRYNE, South Dakota.....	71

\*1912.

**Gair Time for Prisoners.**

PARK TRAMMELL, Florida.....	17
TASKER L. ODDIE, Nevada.....	44
L. B. HANNA, North Dakota.....	51
WILLIAM HODGES MANN, Virginia.....	86

**Honor System.**

EDWARD F. DUNNE, Illinois.....	21
TASKER L. ODDIE, Nevada.....	44
WILLIAM C. MCDONALD, New Mexico.....	49
L. B. HANNA, North Dakota.....	51
BENJAMIN W. HOOPER, Tennessee.....	74
WILLIAM HODGES MANN, Virginia.....	86

**Wags.**

GEORGE W. HUNT, Arizona.....	
------------------------------	--

**Wage for Overtime Work.**

AUSTIN L. CROTHERS, Maryland.....	28
-----------------------------------	----

**The Prisoner's Earnings for the Prisoner's Family.**

CHARLES R. MILLER, Delaware.....	14
EUGENE N. FOSS, Massachusetts*.....	30
ADOLPH O. EBERHARDT, Minnesota.....	33
ROBERT P. BASS, New Hampshire.....	45
JAMES M. COX, Ohio.....	53
F. M. BRYNE, South Dakota.....	71
FRANCIS E. McGOVERN, Wisconsin.....	96

**The Prisoner's Earnings for the Victims of His Crime.**

JOSEPH M. BROWN, Georgia.....	19
-------------------------------	----

**Suppression of Drug Traffic.**

JOHN N. MOREHEAD, Nebraska.....	42
---------------------------------	----

**Abolition of Fine System.**

EUGENE N. FOSS, Massachusetts.....	30
------------------------------------	----

**DISABILITIES AS THE RESULT OF IMPRISONMENT.****Loss of Citizenship.**

SIMEON E. BALDWIN, Connecticut.....	13
-------------------------------------	----

**Sterilization.**

JOHN M. HAINES, Idaho.....	20
C. SWALD WEST, Oregon.....	61
WILLIAM E. GLASSCOCK, West Virginia.....	93

\*1912.

**PRISON LABOR IN THE GOVERNORS' MESSAGES**

COMPILED AUGUST 15th, 1913

**GEORGE W. P. HUNT,**  
GOVERNOR OF ARIZONA.

"If Arizona is to hew to the line of progressiveness she has marked out for herself, and justify the position accorded her even at this early date, there is no way in which that progressiveness can be made more practical, or productive of greater or more lasting benefits than by mapping out and adopting a modern and advanced policy of management of the State's penal and so-called reformatory or correctional institutions, and of treating the unfortunate inmates thereof by common-sense, humane methods. I have no great criticism to offer toward the management of our State institutions, nor towards the institutions themselves. The one and the other will compare favorably, I think, with the institutions and methods in vogue therein, of all those States which have not yet escaped from the archaic idea that society's ends are best served by the punishment and degradation of those convicted of transgressing the law of the land. But it is to those States which have adopted the idea that more good comes of an effort to lift up, assist and truly correct the fallen than by continued demonstrations of the policy of "kicking a man when he's down" that I would have Arizona look for direction. I think we should take full advantage of the great strides which of recent years have been made in the study and practical application of humane theories of sociology; and, based upon the truth that men are still human, even though convicted of crime, subject to the same emotions, moved by the same desires, susceptible of like encouragement, as are men whose steps are free, should declare our policy to be that of endeavoring to help the State's unfortunates along the path of redemption and rehabilitation, rather than to plunge them into the despair which ends in confirmed criminality or the suicide's grave.

"I believe a law should be enacted beginning with a declaration of such import as I have indicated, and containing the foundation and groundwork for sweeping reforms. I believe the officers of the State's penal and corrective institutions, and the boards or commissions having supervision over them, should be given wide latitude in the exercise of their functions, so far as is concerned the encouragement they may offer to the unfortunates in whose hearts the spark

All messages not otherwise designated are of 1913.

**Reformation  
not punishment.**

**Reform through labor.**

of desire for rehabilitation still burns. This law, or plan should seek to make better men and honest, not degraded and humiliated beings with sensibilities deadened, faith destroyed, hope gone, self-reliance vanished, ambition killed."

\* \* \*

**Road work with wage.**

"The inmates of the State prison should be fitted, if possible, to take their place in the world, and to honestly and successfully cope with its problems, when their debt to society has been paid, the wrong they may have committed avenged, their time served. They should be afforded an opportunity, upon their release, to start life anew with a reasonable chance of success. Under the present system the odds are very great and all against the man who comes into the world with a convict's record to combat. A suit of clothes, five dollars in money, a curbed spirit, and a ticket to where everyone knows him, and most of them with Pharisaical horror shun him; these constitute the capital with which almost every convict re-enters the race of life. How vastly better would it be to furnish some useful employment, whereby the faculties might be kept alive and alert, hope sustained, the spirit quickened, and a little money accumulated against the day when self-dependence is resumed? Arizona affords ample opportunity for such employment—and the most healthful employment—in her plans for an elaborate road system, and I urgently recommend that the law specifically authorize the employment of prisoners on the public roads of the State, and that the State or the counties of the State in which such labor may be performed, be directed to deposit to the credit of the men so employed at least twenty-five cents per day each for their services. The cost will be small as compared to the actual benefits to be derived from the construction of splendid highways, while the benefits accruing to society will, I am convinced, return the investment a thousand fold."

Governor's Message, pp. 26-28.

**JOE T. ROBINSON,  
GOVERNOR OF ARKANSAS.**

**Reorganization of Board of Control.**

"The General Assembly should consider the advisability of reorganizing the board for the control of the penitentiary. The creation of a commission composed of three members charged with control of the institution would probably result in saving the State many thousands of dollars annually. The State officers who now compose the board have so many duties more directly connected with their offices that it has been found impracticable for them to give that care and attention to the affairs of the penitentiary which the importance of the subject seems to require.

**Investigation of lease system.**

"The former Governor, immediately preceding this administration, but a few days ago, pardoned approximately one-half of the total number of convicts confined in the penitentiary. This unprecedented exercise of the pardon power was sought to be justified on the ground that, under his own administration, and while he was acting as a member of the Penitentiary Board, the convict system was so barbarously administered as to make it preferable to release all convicts hired out, and subject the State to the dangers which will result from their liberation, rather than impose on them further confinement in the penitentiary. This charge, coming from so high a source, and attended by such unusual circumstances, should be investigated. A committee of the Legislature should look carefully into the subject and ascertain what convicts have suffered inhuman treatment, if any, and in what instances punishment has been inflicted by those who have abused their power over the convicts. If abuses have been practiced, and no punishment has been inflicted on those responsible, the public is entitled to know the reason for this neglect of duty.

"The proposition to authorize working of county convicts on public roads in the various judicial circuits will likely be presented to you, and is worthy of attention.

"The advisability of purchasing or establishing rock quarries in various portions of the State, and furnishing with convict labor rock for use on highways to counties and towns at a low cost would encourage in a practical way the building of good roads throughout the State."

[§ 1, § 2, § 3, § 4, § 5, § 6, § 7, § 8, § 9, § 10, § 11, § 12, § 13, § 14.] Governor's Message, pp. 11-12, 14.

**Road work.**

**HIRAM W. JOHNSON,  
GOVERNOR OF CALIFORNIA.**

**Recent reforms.**

"The platform to which a majority of you subscribed at the recent legislative convention, and I quote it as a concise statement and not in partisan spirit, contained the following summary of the accomplishments of the past two years, the majority of which, it may be added, were due to the enactments of your immediate predecessors in the Legislature, and to the favorable vote of the people on propositions submitted to them:

"The laws of criminal procedure have been simplified, a reformatory for first offenders is assured by the purchase of a site therefor, the prisons have been made self-supporting and prisoners are being taught useful trades without injurious competition with free labor."

"We have two state prisons and two reform schools. The two reform schools in the past have been kindergartens for the penitentiaries. It has happened too often that the inmate of the reform school has graduated from that institution only to finish in one of

**Reformatory for first offenders.**

**Reform schools to be educational institutions not schools for crime.**

**Grading of  
prisoners.**

**Reformation  
not punishment.**

our state prisons. Fundamentally, it seemed to me, the management of these reform schools was erroneous, and that if they could serve no other purpose than to educate young men into crime, and to graduate them ultimately into the state prison, they ought to be abolished. The theory on which reform schools was conducted in the past was that the children in those schools should be governed by fear and by force. The utter inutility of this method I believed to have been demonstrated, and it was resolved, therefore, that we would make an effort in a different direction with our erring young, and by treatment of these children as children, by eliminating as far as possible force and violence and fear, by teaching initiative and independence, and generally by regarding the inmates of these schools as human beings, not unlike the rest of us, they might be reclaimed and made useful members of society. In Lone and Preston, therefore, we have started upon the latter course, and there is every indication that the results desired will be attained. A recent inspection of Whittier showed the utter lack of facilities at that school and these facilities at that school should measurably be provided if we expect good results. In the past two classes of children have been sent to our reform schools: delinquents and dependents. Dependents are those who have no home. Delinquents embrace the bad, the vicious, the incorrigible. The infamy of sending a child merely because orphaned to a reform school for continuous association with those actually convicted of crime is too obvious to require comment. Legislative action should render impossible the continuance of this wrong.

"Within the past couple of years, there has been a nation-wide awakening and agitation concerning those convicted of crime and conditions of prisons. As often happens with such an agitation, sometimes extremes are advocated, and the difficult problem in prison management now is to avoid the brutality of former years and the harsh treatment accorded in the past, and the mawkish sentimentality which would raze all prison walls. That men in prison should be humanely treated, that they should be afforded activity for hand and brain alike, that consistent with safety and discipline they should be given as much latitude as possible, and that honest effort should be made to fit them, after the period of expiation for citizenship, will now readily be conceded, and it is with this effort that the administration, at least, has endeavored to act. That our prison conditions are infinitely better than at any time within the history of the State of California, cannot be denied. Better quarters are being provided, segregation into classes is being attempted, and trades are sought to be taught. The parole laws are administered with a liberality far exceeding that of the past, and within the recent year there have been fifty per cent more paroles granted than ever before in a like period. In San Quentin, at present, clothing and shoes and furniture, and matting, hats and caps and similar articles are being manufac-

tured, and while the quoted statement contained in the commencement of this message that the prisons are self-supporting is erroneous, profit from the manufacture of these articles has been quite considerable. No appropriation for maintenance beyond salaries at San Quentin is this year asked. This does not arise solely, however, from the institutional manufacturing. The profits of the manufacturing department have aggregated about \$35,000, but this, it is expected, will be largely increased as the organization of the department is perfected. I desire that a similar manufacturing department be established at Folsom, and I ask that the request of the warden at Folsom, in this respect, be granted. The design of these manufacturing plants is not alone to make money for the prisons and the State and to render these prisons ultimately self-supporting, but, more important still, to give employment to the men confined and to enable them to learn useful trades which, if they desire, will furnish them employment upon their discharge."

Governor's Message, pp. 4, 5, 23-25.

**Efficiency in  
business manage-  
ment.**

**Industrial edu-  
cation.**

**ELIAS M. AMMONS,  
GOVERNOR OF COLORADO.**

"To be ready for the advantages of 1915 we must commence work now and I sincerely hope that the General Assembly will make speedy arrangement for unlocking our road funds, secure the co-operation of the several counties, and such funds as may be enlisted from outside the state in an united harmonious effort to complete our road system at the earliest date possible. To supplement the funds now available, we should continue to use the convicts at the penitentiary and reformatory and there is hope of a considerable contribution of funds from the east through those who are anxious to have a portion of the main continental highway pass through Colorado mountains."

Governor's Message, p. 4.

**SIMEON E. BALDWIN,  
GOVERNOR OF CONNECTICUT.**

"Some form of civic degradation is an appropriate penalty for certain crimes. It is less used in this country than in many others. So far as we have adopted it, it would seem to me inexpedient to recede. A convicted thief or forger should not be allowed to vote, and his exclusion from that privilege should not, it seems to me, depend on whether his sentence was to fine or to imprisonment. The offense in either case is the same, and stamps him as one unworthy to share in the government of his State."

\* \* \*

**Loss of citizen-  
ship.**

**Road work.**

"The State has in her state prison and county jails a large number of able-bodied men, who have been justly condemned to involuntary servitude. Of these it has been a common practice to put some to work outside the prison enclosure, and Gen. Stat., § 2001, is in affirmation of this policy. Believing that the health of the prisoners would be improved, and their earnings increased, if more of them were so given employment in the open air, particularly in work upon highways, I recommend an extension in this respect of the powers of the State Prison Directors and of the County Commissioners and Sheriffs."

Governor's Message, pp. 9, 30.

**PARK TRAMMELL,**

GOVERNOR OF FLORIDA.

**Road work.**

"The time is ripe, in my opinion, for a change in our plan of handling the State convicts. With the great demand for labor upon our roads and in road building, we can utilize the convict labor to an advantage upon the roads, and I think that the necessary steps should be taken providing upon the expiration of the present convict lease, on January 1, 1914, for the withdrawal of the prisoners from the lease system in such reasonable installments as may be advisable to safeguard the State's finances in making the change from the present plan of hiring them out to placing them on the roads."

Inaugural Address, p. 9.

**Abolition of lease system.**

**Whipping.**

"Much has been said during the past year by the press, and particularly the press outside of the State, concerning this mode of punishment (whipping) which is still adhered to in Delaware. I am convinced that an investigation at the New Castle County Workhouse, where this punishment is now inflicted, will convince any reasonable person that it is not done in a barbarous manner, as the articles appearing in the press would lead one to think, but that those who receive this punishment are shown as much consideration as the circumstances will warrant.

"The fact that the English Parliament has recently passed a bill providing for this method of punishment for certain offenses, and other States in this Country are also considering its adoption, should be sufficient proof that we have made no mistake by continuing it."

Governor's Message, p. 22.

**SIMEON S. PENNEWILL,**  
GOVERNOR OF DELAWARE.

**The prisoner's earnings for the prisoner's family.**

"The Courts should have power, either before or after conviction, to make an order for the payment of a certain amount weekly—not monthly—to the wife and the person or Society having custody of the children, and to release the husband on probation upon his giving bond, or take such other courses as the circumstances of the case may warrant. If the husband fail to comply with the order of the Court he should then be committed to the Workhouse and his earnings applied as hereinbefore suggested. All cases of this character should be looked after by a Probation Officer, who could, by personal visits, ascertain and report whether the orders of the Court are being obeyed, the wife protected and the children being cared for by proper persons."

Governor's Message, pp. 7-8.

**Conditions under Lease System.**

"In my platform as a candidate for Governor, I pledged myself as follows, to wit:

'I favor discontinuing Lease System and using convicts in road building, State's finances to be guarded in making change.'

"For thirty years the lease system has existed in our State. During this time the prisoners have been hired out to work upon farms, in phosphate mines and on turpentine farms. At present they are under a four years' lease, which expires on January 1, 1914. They are principally engaged in working on turpentine farms at present. The lessees pay the State \$281.60 per capita per annum for able bodied male prisoners and maintain in a hospital free of cost to the State the women and disabled male prisoners. The prison population at present is about fourteen hundred, of whom about two hundred and fifty are women and infirm men. Under this lease about \$300,000 net is realized annually from the hire of State Convicts. This sum is by law apportioned to the counties quarterly upon the basis of assessed valuation of the several counties. Under the present system the Commissioner of Agriculture and the Board of Commissioners of State Institutions make and prescribe the rules and regulations governing the custody, care and handling of the State prisoners. The State has four Convict Supervisors who are constantly engaged in inspecting convict camps, and making investigations as to the manner in which the prisoners are treated, seeing that the rules and regulations are observed, reporting failure to observe the same and suggesting improvements.

"The Prison Hospital, the stockades, and all equipment now used in the handling of the prisoners belong to the lessees. The State owns no prison buildings, stockades, hospital or other prison equipment. The only prison property which the State owns is a tract of about 16,000 acres of uncleared and unimproved land in Bradford County, which was purchased in 1911, with a view to establishing thereon a State Prison Farm. With the above conditions confronting us, we must with judgment, care and in a business like way, work

**Provision necessary for custody, care and maintenance of the prisoners.**

out a reasonable and efficient plant for the abolishing of the lease system. In this undertaking it is essential that we bear in mind:

1st. That in view of the fact that the State has at present no buildings, stockades or place where it could care for its fourteen hundred prisoners, provision for their custody, care and maintenance is absolutely essential prior to the time the State shall withdraw them from the Lease System, and that on account of the great magnitude and extent of such preparation, from two to three years will be required for raising the funds and making provision for its accomplishment.

2nd. That for the State to provide the necessary substantial and permanent buildings and other equipment, and put in a tillable condition a reasonable portion of the land on the prison farm to be established in Bradford County, and to provide the other funds necessary in proceeding with the changing of the system during the next two years, an estimated sum of \$250,000 to \$275,000 will be required for such buildings and other purposes.

3rd. That for the counties to provide necessary equipment for the care of State prisoners which may be allotted to them the sum necessary for such purpose should be raised prior to the time that any of the State prisoners shall be allotted to a county to be used in public road work.

4th. That the funds necessary for the State and the counties to make the required preparation for a change in the prison system must be derived from the proceeds from the hire of the State prisoners, or, upon the other hand, from direct taxation.

5th. That primarily the duty to care for and support State prisoners is upon the State and therefore a county should not be forced to take and care for State prisoners.

"I believe that provision should be made for the discontinuance of the lease system; that the ablebodied male prisoners should be used as far as practicable in building, and repairing roads; that the infirm male prisoners, female prisoners, and those of the prison population who are not used by the counties in the building and maintaining of public roads should be kept at the State Prison Farm when established in Bradford County. Such change can, and, in my opinion, should be accomplished by Legislation that will not require a levy of direct taxation for the expense incident to the preparation for the change. To inaugurate a new plan for the handling of the State prisoners and to abolish the present lease system, I recommend the enactment of a law providing:

1st. For the withdrawal of the prisoners from the lease system in reasonable installments.

2nd. For the raising of funds from the prisoners temporarily leased, to defray the expense of building up a prison farm and meeting the other expenses incident to making a change in the system.

**Farm work.**

**Gradual Withdrawal of prisoners from lease system.**

**Gain time for prisoners.**

**State Prison Farm.**

3rd. For the counties, if they desire, to take over the able-bodied prisoners at the time of the installment allotments to be used in public road work.

4th. For the care and maintenance of the infirm male and women prisoners, at the State prison farm to be established in Bradford County.

"To carry out these purposes in a manner which will require no taxation or burden upon the State or counties, and at the same time accomplish the change of the system within a reasonable time, I have prepared a bill covering my ideas of the details of the change. This bill you will find appended hereto, and I respectfully submit the same for your consideration.

"In the enactment of Chapter 6177, Acts of 1911, same being an Act to amend Section 4140 of the General Statutes, relative to gain time to be allowed to convicts, an error was made in not providing an allowance of gain time for the fifth year of sentence. This mistake was doubtless purely a clerical error and should be corrected, so as to preserve the symmetry of the Act and carry out what was unquestionably the real intent of the Legislature in passing the enactment. The said law can very easily be re-enacted with correction of the error pointed out and I recommend that it be done.

"By Chapter 5941, Acts of 1909, the Legislature appropriated \$50,000.00, from the Hire of Convicts Fund, for the Board of Commissioners of State Institutions to purchase lands for a prison farm and for other kindred purposes.

"In March, 1911, the said Board, after careful examination of many tracts of land which were offered, or suggested, for this purpose, purchased from the Empire Lumber Company of Jacksonville, 7,914½ acres of excellent land in Bradford County, for the price of \$5.00 per acre. At the same time the Board took an option from the Empire Lumber Company, on an additional tract of about the same size, adjacent to that which was purchased at \$5.00 per acre.

"The Legislature of 1911, Chapter 6134, Laws of Florida, appropriated an additional sum of \$50,000.00 from the Hire of Convicts Fund, to enable the Board to purchase the land upon which option had been taken and for use in establishing on said lands, a State Prison Farm.

"In pursuance of such appropriations a total of 15,587½ acres of land, in Bradford County, were purchased from the Empire Lumber Company. Adjoining and partially embraced within the lands purchased from the Empire Lumber Company, were two full sections of land, then owned by Mr. W. E. Davis, of Starke, Florida. Upon investigation it was found that the Davis lands were of very superior quality, and that it would be greatly to the advantage of the State for the Board to purchase the said Davis lands.

"After considerate negotiations, Mr. Davis agreed to accept \$7.50 per acre for the said two sections of 1,280 acres. In July, 1912,

the Board of Commissioners of State Institutions purchased the said 1,280 acres from Mr. Davis, at \$7.50 per acre.

"The Board thus acquired for use as a State Prison Farm a splendid tract of land, embracing 16,867½ acres for a total purchase price of \$87,537.50, leaving a balance in the amounts appropriated by the said Acts of 1909 and 1911, of a little more than \$12,000.00. It is the sense of the Board of Commissioners of State Institutions that the State has, at very reasonable cost, acquired an adequate area of land of excellent quality, splendidly located, for use as a State Prison Farm whenever the State is in position to utilize same.

"The above mentioned Acts of 1909 and 1911 provided that, with the appropriations made, the Board of Commissioners of State Institutions should have buildings erected and the said Prison Farm equipped for use of a designated class of the State prisoners. The amount remaining in the appropriation, however, after the Board had purchased what it deemed to be a sufficient area of land for all future needs of the State Prison system, about \$12,000.00, was wholly inadequate for erecting such buildings as would be needed by prisoners such as were to be placed on the farm, and for meeting the numerous expenses of equipping, guarding, and maintaining the said Prison Farm; consequently no attempt has been made to erect any buildings on the lands so purchased.

"It is deemed to be a matter of the highest importance that the present Legislature make proper and adequate provision for equipping the said Prison Farm and providing for its use, as was contemplated by the Acts of 1909 and 1911."

Governor's Message, pp. 9-15.

**GEORGE M. BROWN,  
GOVERNOR OF GEORGIA.**

**Road work.** "The building of good roads is undoubtedly one of the main factors in the marked progress the State has made in material development during the past three years. Yet, as this progress is mostly due to the use of the State's convicts, the State has the right to require such handling of the convicts as will generally benefit all the people while increasing the facilities of the several counties.

"Therefore, it should be required by law that, at least, a stipulated proportion of the convicts be worked upon the main roads in each county leading from its county site to the county sites of adjoining counties, or that all of the convicts be worked upon such main roads a stipulated proportion of their total time until said roads are completed."

Governor's Message, 1912, p. 20.

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"I would suggest that the Prison Commission be given authority and directed to inspect jails. It is more important that persons detained merely for trial be properly cared for than that those already convicted of crime be treated well.

"Many good women have urged me to advocate the enactment of a law providing for the inspection by women of those quarters occupied by female prisoners. I deem the suggestion a good one and well in keeping with the demands of actual propriety and broad humanity, and as such commend it to you.

"In this connection I will state that it has been proposed in some circles to restore the practice of whipping female convicts in order to maintain discipline. I respectfully suggest that such a return to a practice semi-barbarous in its nature would not be in keeping with the enlightened spirit of our modern civilization.

"The point has been raised in the public press and in some other circles that the State ought to allow moderate wages to convicts in the penitentiary, such wages to be paid to the families of these convicts whose protector and provider the State holds in confinement. I scarcely think that we are ready to take such a step; but in the event it be seriously considered, I respectfully suggest that, inasmuch as the convict is immured because of his taking the life of another, or of some damage done to others, if wages be allowed by the State they should be paid mostly, if not entirely, to the family whom the convict has deprived of its protector and supporter."

Governor's Message, pp. 5, 12-13.

**JOHN M. HAINES,  
GOVERNOR OF IDAHO.**

"The platform of the Republican party commits that party in this state to the enactment of a law providing for the creation of a non-partisan state board of control for all state educational, charitable, penal and all other state institutions, to the end that economy and efficiency of administration and supply may be effected, and the burden of taxation thereby reduced.

**Jail inspection  
by Prison Commission.**

**Women inspectors for female prisoners.**

**The prisoner's earnings for the victims of his crime.**

**Reorganization of Board of Control.**

"It is my judgment that in addition to the state board of education, which should have general management and control of all state institutions and our public school system, there should also be provided one board which should have control of all our state penal, charitable and other institutions of a like character. . . .

"I suggest that you provide, if you adopt the ideas advocated, that the board of control for our state penal, charitable and other institutions shall have powers, with reference to those institutions, similar to those suggested for the state board of education with reference to our educational institutions, the same limitations being placed upon this board, however, in the matter of creating new departments or extending the activities of any particular institution along new lines, without first obtaining authority of the legislature therefor. Members of both these boards should serve without pay and be entitled to collect only a per diem allowance and necessary expenses while attending meetings of the board or officially inspecting different institutions under their control." . . .

#### Sterilization.

"In recent years there has been much study and investigation of the causes and conditions which predispose to insanity, and it seems to have been safely established that a neurotic ancestry stands out pre-eminently as being operative in the great majority of cases.

"In all cases the object of the law is to prevent the increase of those who are mentally defective, and the scope of this law has been extended in certain states to include habitual criminals, moral perverts and those convicted of the crime of rape.

"The necessity of some such law in the state of Idaho is set forth in the report of the superintendent of the Idaho state insane asylum at Blackfoot, for the years 1911 and 1912, and I commend this subject to your attention in the hope that you may find time to consider it, and to initiate some action which will give Idaho a creditable standing among those states which have adopted an advanced method of dealing with this class of unfortunates and which will, in time, particularly if similar action be taken by all other states in the Union, have the effect of depleting the institutions now maintained by the care and custody of the insane, the feeble-minded and the criminally inclined."

*Governor's Message, pp. 25-28, 39.*

#### EDWARD F. DUNNE, GOVERNOR OF ILLINOIS.

#### Road work.

"Provision also should be made for the employment of the inmates of our penitentiaries in road work. Primarily, convicts should be used for the preparation of material, either at the penitentiaries, or at camps, established near natural deposits of stone, gravel or other material. In the actual construction of highways, when it becomes

necessary, short term prisoners should be employed on an honor system, such as prevails in Colorado. Humanitarian reasons underlie the employment of convicts in the open air work of this sort. The problem of what is going to become of the paroled or discharged convict is largely solved if he is released, healthy in body and in mind, and not debased by associations formed in the debilitating environments of cells and prison workshops.

"Psychological and physiological considerations enter into the employment of men, on an honor system in the fresh air and sunshine, wherein and whereby they are restored to society with their manhood quickened, instead of deadened, or destroyed."

*Governor's Message, p. 13.*

#### Honor system.

#### BERYL F. CARROLL, GOVERNOR OF IOWA.

#### Investigation of Conditions.

"Some months ago there was a good deal of complaint regarding the prison and prison management at the Penitentiary at Fort Madison. I had the complaints carefully investigated by the Board of Control, investigated most of them myself and had the President and the Secretary of the State Board of Health inspect the prison as to its sanitary condition. At a still later date I asked the Attorney General, assisted by Judge M. A. Roberts of Ottumwa and Hon. Parley Sheldon of Ames to make an investigation of the complaints and report the same to me. The result of it all was that nothing was reported that justified any serious complaint except such as necessarily attach to an old, and, in many respects, out of date institution, which the Board of Parole is trying to modernize as fast as can be done with the funds and means at hand. The new cell house is being constructed and when done will afford an opportunity to reconstruct the old cell house and to a great extent remove any just cause for complaint from that source.

"An appropriation is asked for by the Board of Control for the completion of the cell building. The feeling among the prisoners at this time is much better than formerly, discipline has improved, and things are moving along apparently without friction and in a satisfactory manner."

\* \* \*

"In my discussion of the employment of prison labor I have suggested the use of convicts in road building and also in furnishing and preparing stone to be used in highway construction. If you will, therefore, provide for the use of the automobile license or provide some other funds for paying the freight on material with such volunteer labor as has been above suggested in delivering the stone on the roads and with convict labor for use in building them many miles

#### Road work.

of permanent road may be made at a very low cost. Means should also be provided for the purchase of asphalt or other material to be used as a binder, as it is generally conceded by those best informed in the matters of road construction, that loose stone or gravel will not resist the wear incident to automobile travel.

"During my incumbency in office, I have given a great deal of study to the subject of prisons, prison management and the employment of prison labor and yet I want to say to you that I approach the subject with hesitancy, fully realizing that I have by no means mastered it and also realizing that superficial information as to so difficult a matter is likely to lead to wrong conclusions.

"In studying the subject under consideration, I have consulted the best prison authorities that I have been able to meet, not mere theorists, but practical men who are themselves engaged in the work that I am here considering; have advised and counseled with the Board of Control of our State and have visited many prisons, prison farms and road camps, and I feel warranted in saying that no matter what you may do, you will not be able to remove all of the objections that exist with regard to prison management and the employment of convict labor.

"There are many fascinating and attractive changes that I might suggest to you, but I want if possible to outline a course of action that will not only be practical and desirable, but that is within the range of possible accomplishment.

"First of all, let me say that I am not and never have been in favor of our present contract system, and yet no such abuse exists with regard to it as has been alleged. I want also to say, that the tasks required of the men employed upon the contracts are by no means as exacting and arduous as those required in some of the states where prisoners work upon state account.

"I am in favor of prison farms and yet if we had a farm, no matter of what size, we would still be confronted with difficulties, and would still find unsatisfactory conditions that would have to be met. I am in favor of working prisoners upon the highways, and yet the road camp is not without its objectionable features. What then shall we do to meet the popular demand, as well as the real needs of our prisons.

"Most important of all, you should make Anamosa a real reformatory. You should do that because you know it to be right and should not hesitate and falter because you fear that by the installation of the necessary industries you will be confronted with opposition. It is assumed that the labor people are opposed to these suggested changes, but the labor people of the state as a class, are not opposed to the establishment of such industries and trade schools at the reformatory as are necessary to teach and instruct convicts so that they may be able to find employment upon their release from prison. In establishing industries and schools they should not be of such

#### **Industrial education.**

magnitude as to become real competitors with free labor, but you owe it to the young men confined in our penal institutions to furnish them an opportunity to make good when they are released. The fact that we have not now a well equipped reformatory at Anamosa, is because former sessions of your honorable body have lacked courage to provide the necessary equipment.

"In connection with this institution, as a part thereof and as a necessary adjunct to a reformatory, I should enlarge the present farm to one of at least one thousand acres. This, according to the best estimate that I have been able to obtain from those in charge of prison farms and from our own wardens, would profitably employ about fifty men in addition to those employed about the buildings in caring for the stock, cooking and taking care of the quarters for the men.

"I should likewise equip a gang of twenty-five to fifty men from this institution for work on the highways and would thus employ them during the season of the year when it is proper to do road work.

"By these means from one hundred to one hundred twenty-five men could be employed in the fields and in the road camp for perhaps eight months in the year and be returned to the walls during the winter season to learn the trades and attend school. In my opinion that is the largest number that should be employed in work other than in the trades and industries, if we are to carry out the reformatory ideas already written into our laws with regard to Anamosa.

"Ft. Madison should be maintained as a penitentiary where the older and more hardened criminals should be sent not only for reformation, but to atone for the crimes which they have committed. This institution is not well located, but with a new cell house well on the way to completion, and other improvements contemplated, in my opinion it would not be wise to abandon it at this time.

"One of the first things with which you will be confronted as to this institution is what to do with the contracts now in force. Before telling you what in my opinion should be done, let me say to you that the very worst thing that could be done would be to abolish these contracts without making necessary provisions for employing the men at other work. As to the contracts themselves, they should either be permitted to continue to the date of their expiration, and then not be renewed, or if sooner abolished, the state should acquire the plant and continue the work at least of the farm tool industry on state account. The prisoners who cannot be trusted without the walls must have employment, and I do not now know of anything better than the industries already established.

"I would abandon the county jail as a place of confinement for convicts, except as to those whose term of sentence is too short to warrant transporting them to a state jail or workhouse. For the purpose of punishing and reforming all other convicts, except those committed to the penitentiary or the reformatory, I would establish

#### **Farm work.**

#### **Road work.**

#### **Schools.**

#### **Development of Public Account System.**

#### **Abolition of Jail System.**

**State work houses.**

at least two and better three or four state work houses. In locating these institutions I would keep in mind their accessibility from various parts of the state, but would locate them where there is an abundance of stone suited to the construction of stone roads; would establish stone crushing plants and employ the convicts in quarrying and crushing rock for the construction of highways. Some of the men together with the men from the penitentiary and the reformatory above referred to, although I would not work the county and the state convicts together, could be employed eight or nine months each year in building permanent roads.

**Stone Crushing.**

Thus we would establish a system of highway construction that would soon result in many miles of permanent roads in our state. I would not permit any of the stone crushed at any of the state's plants to be sold for commercial purposes or used for anything except improving the highways, unless it be for erecting state buildings, but would furnish stone free of cost to counties that would pay the freight and use the stone for road building.

"I would authorize the railroad commission to permit the railway companies to fix special rates, within the state, for transporting the men engaged in road work and for hauling stone to be used for said purposes, so as to encourage as far as possible the betterment of our highways. I would equip these state work houses with land enough, but not more than would be necessary to raise vegetables, provisions, etc., to feed the prisoners.

"The reasons for recommending the establishment of these work houses, it seems to me need only be suggested in order to be appreciated. Idleness breeds crime. The average county cannot furnish employment for its convicts. Many of our jails are wholly unfit to confine people in and some people are wholly unfit to be confined with others, but cannot be segregated in the ordinary county jail. Then, too, the moral effect of taking the criminal to a state institution where he is compelled to work out a fine, rather than to idle his time away in a local jail, would do much to prevent repeating of offenses. Nothing would have so potent an influence for good upon the common drunk or the vagrant as to send him to a state institution, give him a good bath and require him to "earn his bread by the sweat of his face" for a few weeks or even months. I would convert the muscle that is now going to waste in idleness and laziness about the ninety-nine jails of the state, into good roads over which law abiding citizens of the state may travel, thereby making the convict earn his own living rather than to tax the law abiding citizen to support the criminal while he passes his time in idleness. Then too many crimes are committed for which a jail sentence does not seem to afford sufficient punishment and yet which scarcely seems to merit a commitment to the reformatory or the penitentiary. Persons guilty of such offenses should be sent to a state work house,

where in all probability they would be more readily reformed than in one of the prisons.

"In my opinion the women's prison should be removed from Anamosa, or at least it should be separated from the men's institution and be removed to such a distance as to render communication between the men and the women impossible, which is not true at present. Then too, it should be made a reformatory to which women would be sent who now escape punishment because judges and jurors do not want to commit them to the present institution. As I understand it, we now have a law providing for a woman's reformatory, but no appropriation has been made to enable the board to establish it.

"I have herein outlined a system of reform for our penal institutions that would require time and the expenditure of a large amount of money to bring about. The question now arises, where are we to get the funds necessary to make these changes? I would answer that for the building of the state work houses and the establishment and installation of new industries at Anamosa and Ft. Madison, I would make direct appropriations and would provide for the erection of two of these work houses at once. For the purchase of lands, I would provide a millage tax to cover a period of years such as we now have for our educational institutions. I would abolish the 1-10 of a mill levy now provided for the Iowa State Teachers' College at Cedar Falls, which I think is no longer needed for that institution, would transfer it to the purpose above suggested and would add to it at least 1-10 of a mill. I should permit the Board of Control to at once purchase lands in anticipation of this income and pay for them as the money from the millage tax is received.

"Before leaving this subject, I want to suggest better pay for the wardens. The amount of pay which they receive is less than is paid in most states, is wholly inadequate for the responsibilities and duties to be performed, and when a vacancy occurs in the office it is very difficult to get good men to consider accepting the position. I want, also, to again say that the warden's tables should be furnished just as the tables of the superintendents of other institutions are furnished. It is wholly unjust to require the wardens to furnish their own tables and to meet the expenses incident thereto by reason of public demands, which is true at least in part, at the present time."

Governor's Message, pp. 19-20, 35, 39-45.

**JAMES B. McCREARY,  
GOVERNOR OF KENTUCKY.\***

"Among the important measures endorsed by the Democratic platform and supported by the candidates for office at the last election, and to which both State officers and members of the General Assembly are pledged, are the following: . . . . .

**Appropriation  
for Women's  
Reformatory.**

**Efficiency in  
business man-  
agement.**

**Reorganization  
of Board of  
Control.**

**Elimination of  
politics from  
Penal Institutions.**

"Change in the present method of electing Prison Commissioners of the State, and the removal of all politics from the management of our penal institutions."

"The State Democratic Platform was no stronger or more emphatic on any subject than it was in declaring:

"We favor a change in the present method of selecting the Prison Commissioners of the State, and the removal of all politics from the management of our penal institutions. While commanding the present Board of Prison Commissioners for its successful management of the institutions under its care, we recognize that the system of election by the legislature under which they are elected is unwise, and we, therefore, favor such a change as will place their appointment in the hands of the Governor, subject to confirmation, or some other method such as the General Assembly may provide."

"This declaration was adopted unanimously by the State Convention and approved with practical unanimity by the people and by the press of Kentucky, and Chapter 97, Article 1, Section 3795 of the Kentucky Statutes, which provides for a Board of Commissioners to govern the penitentiaries of the Commonwealth, is in part as follows:

"The General Assembly may, at any time, remove any or all of the members of said Board of Commissioners, with or without cause."

"In accordance with the platform, I recommend that so much of the law as requires three Prison Commissioners to be elected by the General Assembly, be repealed, and their respective terms of office, be terminated, and that a bi-partisan board, consisting of four members, be appointed by the Governor, by and with the advice and consent of the Senate, for a term of four years, and that two members of the said Board should be selected from the political party which polled the highest number of votes in the last preceding State election, and two members from the political party casting the next highest number of votes.

"No personal reflection on the present Prison Commissioners is intended by my statements or recommendations. They are serving under a system which has caused condemnation and criticism.

"Important questions are suggested for consideration by the existing law. If the Legislature has the right to name the Prison Commissioners, and they have large patronage, will it not follow that the Prison Commissioners will be interested in electing the members of the legislature and thus perpetuate their power and their tenure of office? And if they can control their election, will they not seek, also, to control legislation?

"Many newspapers of our State have commented on the existing system and advocated a change in the present method of selecting the Prison Commissioners of the State and the removal of all politics from the management of our penal institutions.

\*1912.

I quote from one newspaper which declares:

"The vast patronage of the prisons is a powerful weapon in the hands of the Commissioners. \* \* \* They can give themselves a life tenure in office. \* \* \* The evil of the present system is even more far reaching. It makes the Legislature an appendage of the Prison Commissioners. It creates a vacillation that is foreign to our Democratic Institutions, and takes away from the people the right to govern themselves through their chosen representatives. Such a condition will work irreparable harm to the democracy, to the prisons, and to the moral well-being of the whole State. The Democratic Party is pledged to the destruction of this system, root and branch."

"The management, discipline and operations of the Kentucky Penitentiary at Frankfort, and the Kentucky Branch Penitentiary at Eddyville, so far as I have been able to ascertain from the reports submitted to me, which were addressed, respectively, to the Honorable Board of Prison Commissioners, seem to be as satisfactory as the situation and surroundings will allow. The convicts appear to be comfortably clothed and fed with substantial, wholesome food, and religious services are regularly held in each prison for the benefit of their spiritual welfare.

"There were in the Kentucky Penitentiary at Frankfort, November 30, 1911, one thousand three hundred and forty-three prisoners; there were in the Kentucky Branch Penitentiary at Eddyville, at that date, six hundred and ninety-two prisoners.

"The object of legal punishment is not only to deter others from crime by punishing the offender, but suitable reform means to prepare the prisoner for his future life among his fellows. Enlightened civilization is advancing in everything, and to be in harmony with the progress of the age there should be improvement in prison management and discipline as well as on other lines. At one of the earliest International Prison Congresses, held in London, it was declared that convicts could be reformed, and in that declaration the soundest and most accomplished students of penitentiary management concur.

"I do not believe that we should by our present system strive to place over the gates of the penitentiaries the words that were inscribed over Dante's Inferno: 'Let all who enter here leave hope behind.' But we should rather make the prisoner feel that, though severely punished, he is not forgotten, and that the law surrounds him with incentives to repentance and reformation, and that he should 'rejoice in hope and be patient in tribulation.'

"I have not had time, since my inauguration less than one month ago, to examine carefully the management and discipline of the penitentiaries of our State, but I shall, at an early day, inspect, in person, both penitentiaries.

"There is strong sentiment and universal desire in all sections of our State, both in county and city, to improve our highways and

**Reformation  
not punishment.**

**Constitutional amendment to authorize road work.**

encourage the inauguration of an intelligent system of road building and improvement of existing roads. Many of our citizens have made known to me their belief that the labor of our convicts, confined in our penitentiaries, should under proper and humane safe-guards and restrictions, be utilized in road and bridge building and repair. Under section 253 of our Constitution, our convicts must be confined to labor within the walls of our penitentiaries, and cannot be employed at labor outside of the walls, except in case of pestilence or destruction of the prison buildings.

"I think the General Assembly should have power to authorize the working of our male convicts—except those confined for life—in the construction and repair of roads and bridges in the various counties of the Commonwealth; and I, therefore, recommend that the General Assembly submit to the voters of the State an amendment to our Constitution which, if adopted, would authorize the passage of such laws."

Governor's Message, pp. 4, 28-29, 46-48.

**AUSTIN L. CROTHERS,**

GOVERNOR OF MARYLAND.<sup>5</sup>

**Road work.**

"I recommend the purchase, by the State Roads Commission, of quarries of stone suitable for road building, and the purchase of gravel pits, because I believe it would not only reduce the cost of material and save the expense and trouble of contractors to procure this material themselves of a kind that would pass the test required of same, but would enable it to be transported from the quarry to the roads where it could be used through the winter season of the year when the farmers and others having teams, for which they have no particular use during the colder part of the year, and in addition to this, because there could be employed to greater advantage the Convict Labor in the Jails and House of Correction in the preparation of materials, which I think ought to be done, as well as a law enacted providing for Convict Labor on road work generally, which I strongly recommend, and which has worked so successfully in many of the States of the South."

"The report of the trustees of this institution shows that it is still maintaining its high standard. They return a surplus to the State Treasury of \$25,667.68. The number of prisoners remaining in prison November 30, 1911, was 994. Of the prisoners received during the year, 137 were white men, 4 were white women, 244 were colored men, 21 were colored women; 325 were for first conviction, 48 were for second conviction, 21 were for third conviction, 8 were for fourth conviction, 3 were for fifth conviction and 1 for seventh conviction. The highest number in prison during the year was 1,040.

"There was paid during the year to prisoners for overwork \$30,378.32. The report is full and most interesting and a great deal

**Wage for overtime work.**

of useful facts are presented, as the ages of prisoners, their nativity, color, those who can write and read and those who cannot, etc. 928 are employed under the contract system; 66 are employed in different departments for the State. Out of the whole number of prisoners, only about 6.3% were non-productive and were employed around the institution.

"The yearly capita cost of prisoners was \$126.44 $\frac{1}{4}$ . There has been a decrease in the net earnings for the year of \$9,484.16. This decrease, as explained in their report, is owing to the decrease in population from an average of 1,086 prisoners in 1910 to 1,018 in 1911, reducing the earning capacity more than \$10,000. The increase in salaries amounts to upwards of \$2,000; in litigation about \$1,700.

"The health of the inmates is reported to have been very good. There are 6,000 volumes in the library used by the inmates. In the report of the Rev. Albert O. Mullan we find the religious work done during the year; also auditor's report by Suffern & Son, certified accountants. The physician's report is also included. I have visited this institution several times during my administration and have been greatly impressed with the evidence of its excellent management. The contented appearance of the inmates, the ventilation, the library, the attention given to the health of the prisoners and the religious services regularly held, make it, in my judgement, one of the very best institutions of its kind in this country. The decrease in the net earnings is satisfactorily explained. In view of this fact it might be possible to make some reduction in the amount of salaries paid—\$64,526.80.

"I would respectfully call your attention to that part of the report of the Board of Trustees relating to the warden and the recommendations they make in reference to this very efficient officer.

"This institution, The House of Correction, is now self-sustaining, and we have been able to dispense in the annual appropriation for maintenance \$30,000 a year—two years, \$60,000. They have also paid into the State Treasury \$45,000 in cash, making a saving of \$105,000. The institution is well and economically run. There has been an outbreak of smallpox and typhoid fever in the last two years in this institution, which was cared for properly by the trustees and officers of the institution, and the patients were humanely cared for by physicians and nurses, and the diseases were soon under control.

"The per capita cost for the inmates in this institution is the lowest of any of its kind in the United States—in a measure accomplished by economical management and the greatly increased products from the farm.

"A new ice plant and cold storage are being installed at the institution. About \$25,000 has been expended out of its ordinary revenues on repairs and improvements to the buildings and water supply. (There should be erected a new dining-room at this institution). There was sufficient money on hand to do this, but under

**Per capita cost per annum.**

**Efficiency in management.**

the advice of the Attorney-General, which is perfectly consistent with the wise public policy, no new buildings are constructed by the Board of Trustees of the different State institutions without legislative authority. This matter is submitted for your consideration."

Governor's Message, pp. 21, 59-60, 66-67.

**EUGENE N. FOSS,**

GOVERNOR OF MASSACHUSETTS.\*

**Opportunity for reformation.**

"Government is under a moral obligation to extend every opportunity for reform to the inmates of prisons, and to make possible a fresh start in life for every prisoner upon his release. The State Prison at Charlestown should be sold, and a new prison constructed with arrangements for the proper classification and separation of prisoners. First offenders should under no consideration be brought into contact with old and habitual criminals. Prisoners should be compensated for their labor at its full value, and their earnings should be paid over to those dependent upon them or retained to be paid to the prisoner himself at the expiration of his term. I recommend legislation to extend the application of the principle of the indeterminate sentence and to develop and put into operation our parole system.

"More interest should be taken by the proper State officials, as well as those who are disposed to religious and charitable work, in the individual inmates of the prisons and in their educational training, both general and vocational. The warden of the State prison tells me that, in the nineteen years of his service, no inmate who had been through the prison schools has been recommitted to the prison."

Governor's Message,\* pp. 12-13.

**Abolition of Fine System.**

"I call to your earnest attention one feature of our present method of punishing crime which, in my judgment, is not in keeping with the spirit of our day.

"Many of the acts which our statutes designate as crimes are so petty that they are properly punishable by the imposition of a fine. Thus, in 1911 (no later figures are available) out of the 68,690 sentenced in our courts, 45,366 were merely fined.

"Of this latter number there were 11,550 cases in which the offenders, having no money with which to pay the fine, were sent to jail. These eleven thousand cases were, as a whole, no different in character from the others in which commitments were avoided by the payment of fines. These latter either had money in hand at the time of being sentenced or were able to get it before commitment. The others were less fortunate.

"These cases were of such a nature that the ends of justice could be fully met by fines. This fact is demonstrated by the verdict

\*1912.

of the court itself in imposing such fines in the first instance. In effect, therefore, these eleven thousand imprisonments resulted from the inability of the offenders to pay their fines.

"In the commitment of these eleven thousand persons it is presumed (as it was in the old days of imprisonment for private debt) that the prisoner will thus be coerced into making payment. Experience has proved the unsoundness of this presumption.

"In 1911, out of these 11,550 commitments in default of the payment of fines, only 2,321 persons succeeded in paying their fines and securing their freedom.

"Moreover, in many instances, the money thus collected from men under commitment is obtained at the cost of seriously impoverishing their wives and children, and rendering themselves and their innocent families destitute, while the stigma of imprisonment remains as the hardest of all possible obstacles in the path of the prisoner seeking to regain his self-supporting independence.

"Grave as these evils are, we must proceed conservatively in seeking a remedy, bearing equally in mind the duty of dealing fairly with the convicted person on the one hand, and of protecting society from the real criminal on the other.

"Our present statutes give the courts the privilege, in all cases of non-payment of a fine, of placing the convicted person on probation for a sufficient time to enable him to earn and pay off his fine. But the great numbers of commitments (11,550) indicate the unfortunate failure of some of the courts to permit the use of this humane privilege. Thus, for example, in a group of nine courts, all in the same county of this Commonwealth, the proportion of imprisonments for non-payment of fines varies from eight in a hundred, in one court, to fifty-four in a hundred in another court. Both courts operate under the same statutes, and deal substantially with cases of the same general character.

"But this is not all. In one of these courts the proportion of cases fined to the total cases begun is thirteen in a hundred; in another court the ratio is sixty-four in a hundred.

"In considering these figures it must be borne in mind that the collection of fines in cases placed on probation for that purpose is in general practicable, nearly \$32,000 of such fines having been collected last year by the Courts of the State which respected and observed this humane provision.

"There is a serious flaw in our present statutes to which these inequalities are directly traceable. I refer to the phraseology of the law which authorizes our justices to place cases on probation for the payment of the fine, and in fact requiring them, in cases where the fine does not exceed ten dollars, to do so, 'if the court finds that the defendant will not probably default.'

**Injustice of Fine System.**

"A large majority of the courts see in this language of the statute that its intent is to give men time to pay their fines; but there are many others, not in sympathy with the law, who put emphasis upon the qualifying words. They rarely suspend sentences for the non-payment of fines. They are not compelled to do so unless they 'find that the defendant will not probably default.' They do not so 'find,' (using the word in a technical sense) at all; and therefore order imprisonment.

"Such inequalities beget disrespect for law. The case has added seriousness, because the poorer and more ignorant people get their ideas of justice almost exclusively from the operations of our lower courts, and the facts cited show injustice.

"We maintain in this Commonwealth a probation system designed to protect society and the criminal, to avoid the needless degradation of the weak and the unfortunate, and to surrender the hardened criminal to the rigors of prison life. What do these provisions avail us if they are not used?

"I append hereto the draft of a bill which I believe offers a conservative remedy for these inequalities. The bill merely incorporates a change in the wording of the present statute, to the effect that a court must suspend the execution of a sentence unless it finds, affirmatively and definitely, that the delinquent will probably default if given time to pay his fine, or that his release would be detrimental to the interests of the public. This would tend to bring the administration of the law throughout all our courts into harmony with the practice now established in our most progressive courts.

"I submit this matter to your attention, fully convinced that in general the administration of justice in Massachusetts has reached a very high level; and I suggest these needed changes because we should not cease our efforts for improvement until the administration of justice in this Commonwealth is brought to the highest possible standard."

Special Message, February 27th.

#### Abolition of county prisons

The county prison has no place in a model prison system, and logical reason for continued existence. On this point I cannot do better than to quote one of my predecessors, Governor Wolcott, who, in 1899, in his inaugural, said:

"There appears no sufficient explanation in theory of the fact that the State controls certain institutions in which is confined a portion of the criminal population, while the remaining portion is in institutions controlled wholly by the several counties.

"Nor is there any clear line of division between prisoners convicted of minor offences who are supported by the State and those supported by the counties. For many offences prisoners are com-

mitted either to a State or county institution at the discretion of the judge before whom the case is tried.

"All offences, of whatever nature, are committed, both in fact and in contemplation of law, 'against the peace of the Commonwealth,' and not of any particular locality, and are heard and determined before magistrates holding the commission of the Commonwealth.

"This divided control of penal institutions, not justifiable on any easily comprehensible theory, results in practice, as might be expected, in lack of uniformity of discipline, diet and employment; in imperfect classification of the inmates as regards sex, age and degree of criminality and degradation, and in consequent unnecessary difficulty in the application of reformatory treatment."

Special Message, March 18th.

ADOLPH O. EBERHARDT,

GOVERNOR OF MINNESOTA.

"It has been stated by an eminent authority on penology that the aim and nature of all prison discipline is, first, the protection of society and second, the reformation of the offender. While this is true as to prison discipline, it represents only one obligation of the state to society. It is recognized today by all authorities on penology that one of the most important duties of the state to society is that of removing the causes which contribute to the commission of crime. Minnesota has taken a leading part in the care and treatment of the unfortunate in penal and charitable institutions. We are now building one of the most sanitary and modern prisons in the world and the management of that institution is admittedly one of the best in the country. In our prison and reformatory we have made provision for the employment and compensation of the prisoners and in many cases where families are found dependent upon prisoners, a certain portion of the prisoner's compensation is paid directly to the family. No state in the Union profits more by the labor of its prisoners and it can, therefore, afford to be liberal in the payment of compensation, so as to provide for dependent mothers and children, who through imprisonment of the husband have been bereft of family support.

"The one great principle involved in the prevention of crime is the maintenance of the home through which the children can be provided for, kept in school and given suitable recreation and employment. When the family is broken up and the children permitted to drift upon the streets without supervision, recreation or employment, it is only a question of time when some of them will finally stray away, drift into error and crime and land in our penal in-

Reformation  
not punishment.

The prisoner's earnings for the prisoner's family.

stitution. If there is anything that reflects discredit upon America it is the fact that our homes are so easily broken up, marriage vows so readily dissolved and the children permitted to pursue their own course without supervision or restriction. Any legislation, therefore, which will tend to keep the home intact and bind its members more closely together, keep children under proper supervision and guidance, promote health, and assist in securing wholesome recreation and employment, will have a direct bearing upon the lessening of distress, poverty and crime. Where the parents are found unable to take care of the children, they should be given suitable assistance, for it costs the state only about one-half as much to assist a worthy mother in the care of her children as to provide for them in a state institution. Every effort, therefore, on the part of the state to lessen and prevent crime must be centered about the home. \* \* \*

#### Farm work.

"Perhaps there is no reform more urgent today than the penal or workhouse farm. In examining the records of our workhouses, I have found cases where men have been committed more than thirty times. Whenever an offender does not reform after working out two or three sentences in the workhouse, he should be sent to the reformatory or prison. All workhouses should be provided with a large farm or such other means of employment for the inmates as will afford the least competition with free labor. The employment of short term convicts upon farms has been proven an unqualified success. In the case of a large city the produce could be either sold on the market or to other city or state institutions. Every convict should be permitted to earn fair wages, a portion of which should go to the maintenance of the institution and the remainder directly to the family or other dependents. Often in our large cities, when the father has been sent to the workhouse, the family is without support and the mother is compelled to go out on the street that she may secure sufficient work to keep her children from starvation. No one is left to take charge of the children. They drift away from home, fall into bad company, commit some crime and finally become charges of the state. The neglect of the city or the state to provide compensation for its prisoners and to turn over a sufficient amount of that compensation for the support of the family surely is a policy best designated as "penny wise and pound foolish."

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"The obligation resting upon the state cannot be satisfied by the payment of these pensions. Where the husband has deserted the family, the strong arm of the law should reach him and compel him to contribute to its support, and where the husband has been com-

mitted to a penal institution, he should be employed and a sufficient portion of his compensation be allowed the family for support."

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"Before leaving this subject, I cannot refrain from calling your attention to the necessity of providing more funds and equipment for the state training school for boys. Anyone who visits the state industrial school for girls is readily convinced that the cottage system, and not the ward system is the proper one for the care of wayward boys and girls. It is essential that a training school should be operated as nearly as possible on the home plan, and the ward system should be abandoned. Under the cottage plan a few boys are brought together in a family group and the privileges allowed for the various cottages could be so graded as to give the necessary opportunities for advancement. This change of equipment should be made as soon as possible. More liberal appropriations must also be made for instructors. The teachers employed at a training school must be of the very best and the salaries now paid are not sufficient."

Governor's Message, pp. 16-21.

E. F. NOEL,

GOVERNOR OF MISSISSIPPI.\*

Industrial education.

Efficiency in management.

"The report of the board of trustees is brief and can be easily understood. The membership of the board represents the three different sections of the state. In dealing with a large and successful farming enterprise, the board has been governed by an honest and earnest desire to promote the State's best interests. The superintendent possesses, in an eminent degree, the qualifications needed for the manager of a large and diversified farming interest, having successfully and profitably conducted, a statutory requisite for appointment, his own personal farming and business affairs. No successful farming, nor other business, can be operated otherwise than by having a skilled man at the head, with power to remove employees under his supervision. The law of 1906, by conferring this authority upon the superintendent, did much toward eliminating politics and promoting business efficiency.

"The present number of convicts is 1,820, an increase of about 500 in four years. All but about 160 are Negroes. For the twenty-one months elapsing between October 1st, 1909, and June 30th, 1911, the period fixed by law to be covered by this report, the receipts from the penitentiary crops, cash paid into the treasury, exceeded the expenditures by \$519,150.74. Considering that a large part of the expenditures went toward improvement of the property, in buildings, drainage and the like, the value of which does not figure in his estimate, the State's profit from its farms and convicts is much the largest ever attained. The convicts were justly and humanely treated, no cruelties being permitted. The sanitary condition of the living quarters of the convicts \*1912.

Farm work.

have been constantly improved. Their food, clothing and treatment is creditable to the State, their death rate, less than  $2\frac{1}{2}$  per cent., supplying convincing evidence. Very few farms in Mississippi are as well managed or as self-sustaining. During the past four years the stock, cattle and hogs have been doubled and their quality much improved, and a fair start made in mule raising.

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"By authority of law, as Governor, I borrowed the money to purchase 2,000 acres of land added to the Parchman farm. It now contains 14,789 acres, all except some needed pasture and woodlands, being successfully cultivated.

"Better prices, I am sure, could be obtained for the State's cotton if it be offered for sale at a few of the leading cotton markets of our State and at Memphis and New Orleans. This could be done by samples, or by grading made by a sampler, whose work would be accepted. Before closing sales, bids from each point could be obtained. If the State's cotton had been sold for cash, paid when ready for shipment, the past year's obligations of the State would probably have been met at maturity, the policy every State should pursue. To permit delayed payments of the State's products, which are only salable for cash, gives purchasers the chance to speculate on State property to their own profit, and in the event of any considerable decline, the loss might fall on the State, while the State could not profit by any advance in price after sale and before payment.

**New system of accounting.**

"The penitentiary method of bookkeeping should be modernized and made to show accurately, the labor and expenditure of each farm each week, and lists kept showing the daily employment of each convict, and the exact yield and consumption of each camp. Such accounting, with highly beneficial results, is kept by some successful planters, including Mr. J. W. Cutrer, who owns adjoining land. The system is worthy of adoption. No sergeant, not fully capable of handling the books incident to such a system, is intelligent enough to attend to business. All could easily do it.

"The State makes its own tiling and has plenty of labor. The Parchman place should be topographically surveyed and mapped, the bayou cleaned out with a dredge boat, and the fields tile-drained. This would involve no large cost, need not all be done at once; would double the production and profit; stop soil waste; and make Parchman one of the finest and most profitable farms in the world; and a beautiful and instructive object lesson to the people of our State and of the whole union. The project is entirely feasible. If undertaken, the drainage bureau of the United States Department of Agriculture will furnish highly skilled assistance in the way of supervision and suggestions.

**Industrial education.**

"An industrial home for wayward and delinquent children and those starting out in the criminal career is sadly needed in Mississippi. In

lessening crime and encouraging morality and thrift, its beneficial results would largely outweigh its cost."

Governor's Message, pp. 7-9.

**HERBERT S. HADLEY,**  
GOVERNOR OF MISSOURI.

**Recent reforms.**

"The various State educational, eleemosynary, penal and reformatory institutions have been well conducted; substantial additions and new buildings have, in many cases, been constructed; a marked improvement in the physical condition of all has been effected; modern and more scientific methods of management have, in many instances, been established; and the money appropriated by the State for the maintenance of these institutions has been honestly and wisely expended. The different State Departments have been conducted with efficiency, and, I believe, have fully justified the wisdom of the legislation establishing them. I have had a careful audit made of the accounts of every State institution and of every executive department, in addition to the audit of the auditing and visiting committees, and in no instance has it been discovered that any of the State's money has been improperly used. . . .

"The fact that good results have been secured under our present system of management does not prove that better results cannot be secured by a different system.

"Even under the present imperfect system there has not been nearly as much difficulty in keeping the State eleemosynary institutions up to a commendable standard of efficiency as in the case of similar institutions in most of the counties of the State. The recent investigation made under the direction of the State Board of Charities and Corrections, has disclosed a disgraceful condition in some of the county jails and almshouses. For investigating the condition of these institutions as well as for other efficient services rendered, the State Board of Charities and Corrections has earned its right not only to a more liberal support than it has hitherto received, but also to a broader and more complete authority in dealing with the matters placed under its supervision and control, and particularly county jails and almshouses.

"I favor a similar change with reference to the management of the State's penal and reformatory institutions, although all that has been said with reference to the improvements, changes and reforms in the management of the State eleemosynary institutions can, with equal correctness, be asserted with reference to the penal and reformatory institutions of the State. . . .

"Dependable statistics give us the alarming information that the population of our jails, our penitentiaries, our poorhouses and our hospitals for the insane is increasing far more rapidly than the population of the country. The cause of this condition should be a matter of careful study and examination, and everything that can be done to correct the conditions which produce such a result should be done. Missouri

**Reorganization of Board of Control.**

**Investigation into causes of Crime.**

**Industrial education.**

enjoys the unenviable distinction of having the largest penitentiary in the world. This is because we have placed all of our prisoners in one institution, and have failed in the manifest duty to provide a State reformatory.

"While we have provided an industrial school for white girls, an industrial school for Negro girls had not been established. The last Legislature made an appropriation for the purchase of a site for such an institution, and the two leading political parties in the last campaign promised in their platforms to favor an appropriation for the establishment of such an institution?"

Governor's Message, pp. 3-4, 8-10.

**Reformation not punishment.**

"It is only during the course of the last ten years that the people of this country have begun to recognize the necessity of some change in our system and method of punishing those guilty of criminal offenses. We have pursued the mistaken theory of punishing the crime committed instead of dealing with the person who commits it. We punish the offense instead of trying to reform the offenders, or to correct the conditions which produce them. The result is that the population of our jails and of our penitentiaries is increasing more rapidly than the population of the country. And there can be no denying the correctness of the conclusion that something is wrong with the conditions of society and of industry and a system of punishment for crime which produces criminals more rapidly than there is an increase in population. A continuance of such conditions unchecked must eventually result in the overthrow of organized society and government itself. It is only within the last ten years that there has been made an effort to correct this dangerous tendency."

**Abolition of Contract System.**

"By the act of the last General Assembly there was a declaration of the intention of the State to abandon the present contract labor system. Unless that policy shall be changed, which I hope it will not, there will during the course of the next year, when those contracts now in existence terminate, be something over 2,000 men and women in the penitentiary for whom employment must be secured. It would be inhuman and barbarous to confine them in idleness. The chief difficulty is to find some employment in which prison labor will not be brought into competition with free labor. The policy of employing convicts upon the roads is an advisable one, but, owing to conditions in this State, it is doubtful if more than a small portion of the convicts in the penitentiary can be so employed. As far as feasible the prisoners should be used in the building of public roads, and the experiment of Cole County under the act of the last Legislature, will, I hope, in time, lead to the employment of an increased number of convicts in this work in other counties. The question of prison labor was quite thoroughly investigated by a special committee of the State Senate of the Forty-fourth General Assembly, of which former Senator F. M. McDavid was chairman, and the

**Road work.**

recommendations of that committee are deserving of consideration. My suggestions upon that proposition, in addition to those already made, are:

"The purchase of sufficient land for a reasonably good sized farm, with provisions for industrial training in a State reformatory.

"Make in both the penitentiary and the State reformatory supplies for the different State institutions and departments.

"Further, I believe there should be purchased an extensive tract of land upon which convicts confined in the penitentiary can be employed. The price of farm products is controlled by world-wide conditions and prison labor thus employed would not be brought in competition with free labor. Such labor would also have a tendency to improve the physical health of the prisoners and that in time will also tend to improve their intellectual and moral health.

"In addition, I believe there should be established at all State institutions possible a plant for the production of ground limestone for fertilizing purposes. While there are a number of private concerns manufacturing this product, which would doubtless object to this plan, the freight rates and the low cost of this product are such as to make its shipment for long distances practically prohibitive. The value of ground limestone as a fertilizer of soil has been conclusively demonstrated.

"I believe that an investigation of the management of the penitentiary and the treatment of those confined there during the last four years will show that as good results have been secured as were possible under existing circumstances. The physical condition of the penitentiary has been greatly improved. With a slight increase in cost there has been a marked improvement in both the quality and the variety of the food, with a considerable improvement of the health and disposition of the inmates and the lack of the necessity of discipline and punishment. The records show that the cases of sickness during this time are far less than during any similar previous period. And I am assured by Captain Porter Gilvin, who has been connected with the penitentiary for over twenty years, and who for seven years as deputy warden has had charge of the discipline, that the number of cases of punishment during the course of the last four years has decreased over 50 per cent. Stripes have been abolished and a suitable uniform substituted. The guards have been uniformed and special instructions as to the duties of their position have been given. Corporal punishment has been practically discontinued. No outbreaks or acts of general insubordination have occurred during that time, although in times gone past they were not infrequent. I heard the statement made by Major McClaughry, the warden of the Federal prison at Leavenworth, Kansas, one of the best informed men on prison conditions in the country, that as much improvement had been made in the conditions in the Missouri Penitentiary as was possible to have been made within that length of time.

"Further improvement, however, demands a change in conditions. One of the most important improvements demanded by conditions in

**Industrial education.**

**State use.**

**Farm work.**

**Investigation of conditions.**

**Decrease in punishments.**

**Tuberculosis Hospital.**

the penitentiary is a tuberculosis hospital or building in which the prisoners afflicted with tuberculosis can be confined. I have given you thus somewhat in detail and at length the facts as to prison conditions and as to the policy that has been pursued by me in the granting of executive clemency, not so much to justify the course that I have pursued, or to answer the criticisms that have been directed against it, as to suggest to you needed changes in dealing with the problem of punishment of crime and the prison labor problem in this State. The policy that I have pursued has been absolutely necessary from a standpoint of the public welfare in the absence of a board of pardons and paroles and a State reformatory."

Report on Reprieves, Commutations and Pardons, pp. 8, 10-13.

**ELLIOTT W. MAJOR,**

GOVERNOR OF MISSOURI.

Road work.

"The Legislature should also provide specifically how and upon what terms the counties can use the convicts, now confined in the penitentiary, in road work. The State can, in this way, furnish a large amount of free labor, which is tantamount to giving so much cash for building public roads." \* \* \*

Industrial education.

"There should be further legislation in the interest of reforms in our reform and penal institutions, and provision should be made for a Chaplain at the Reform School for Boys at Boonville. You should increase the facilities in our reformatory institutions for industrial training in the useful arts, and the powers of the Board of Charities and Corrections, in regard to dependent children, should be enlarged.

"There should be reforms in caring for and protecting the dependents in the city and county institutions, and more humane considerations required to be accorded them by law."

Governor's Message, pp. 11, 20.

**JOHN H. MOREHEAD,**

GOVERNOR OF NEBRASKA.

Reorganization of Board of Control.

"I believe that the people of Nebraska who are intelligent and who from the strides of this state in industrial and agricultural pursuits are disposed to carefully manage their private business, have realized that the state's finances have been carelessly and indifferently managed. This may have been due in part to the inefficiency of our system and partly from our inclination to mix too much politics with our business. Be this as it may, it is a matter of congratulation to the people of this state that they have adopted almost unanimously the proposed constitutional amendment, providing for a non-partisan board of control of our public institutions.

"I shall endeavor to name as members of this board honest men who have succeeded in their own business, and who will bring to the management of these state institutions a large and successful experience in private business.

"It is my hope that through this board all the supplies of the state will be bought through one purchasing agent at a greatly reduced cost. In my judgement it is waste and extravagance in the different branches of the state government which causes high taxation. This can be largely eliminated by a strictly business management.

"I shall also require during my administration that the men who are placed on this board shall make their home during their term of office at Lincoln and devote their entire time to the business of the state.

"I shall also insist that no member of the board, no relative or business associate of any member of the board, be interested in any contract to which the state is a party, and that no relative of any member of the board be appointed by said board to any position in the state institutions. I would recommend that the above provisions be embodied in the new law governing the board.

"I hope that this legislature will provide adequate salaries for the members of this board, in order that the state may at all times have the service of high-class and competent men on this board. While the first members of this board will not assume office until July 1, I shall make the appointment at as early a date as possible, and after confirmation of the same by the senate, I shall expect these men, from the time of their appointment until they assume official control of our state institutions, to familiarize themselves with the different institutions, the number and character of employees, and particularly investigate whether the state needs as much help at the different institutions as it has at the present time. From the number of applications I have had for appointments, I am led to believe that some of these positions could, without impairment of service, be either consolidated with other positions or abolished entirely. I shall insist that the primary consideration in the management by this board of our state institutions shall be that every person employed by the state shall render an adequate service for the compensation he receives, and that if the duties of any position are such as not to require such services, that such position shall be abolished.

"I therefore ask the earnest co-operation of this legislature in securing a broad and comprehensive law defining the duties of this new board, and fixing its responsibility.

"The penitentiary of this state should not only be a penal institution but also a reformatory. To this end I would recommend that the short-term and less hardened criminals be separated from the long-term and more vicious inmates.

**Efficiency in management.**

**Members of Board to have no interest in contracts made by state.**

**Responsibility of Board to be definitely fixed.**

**Separation of first offenders and hardened criminals.**

**Road work.**

"This could be brought about by converting the Milford Home for old soldiers into a reformatory where the inmates could take up agricultural work and be used on the public roads of the state under suitable provisions of law. Such a law should also provide that any discharged convict from the penitentiary could secure employment at the reformatory at a living wage until he could secure permanent employment.

**Employment  
for discharge  
convicts at re-  
formatory.**

"In this connection I would also recommend that the state pass stringent laws against the tramp nuisance, and in aggravated cases that confirmed tramps be committed to this reformatory or sentenced to work on county experimental farms, where such farms are established.

**Abolition of  
contract sys-  
tem.**

"I am opposed to contract prison labor, and I would recommend that the legislature pass a law abolishing the same in this state, and that the inmates of our state prisons who are not working at agriculture or road-making should be used by the state in making articles of wearing apparel and other supplies for our different state institutions. I am informed that the state at a small expense could install sewing machines and other necessary machinery for this purpose. The policy of the state in my judgment should be to use these prisoners on work that requires the greatest amount of labor and the least amount of capital.

"The diversion of part of the penitentiary labor to road-building would be a step in the good roads movement which this state should take up. I hope that the legislature will undertake some systematic policy of good road building in Nebraska.

**Suppression of  
drug traffic at  
penal institu-  
tions.**

"One of the principal sources of trouble at penal institutions is the illicit use of opiates among the inmates. This traffic should be suppressed, and I recommend that the legislature make it a felony for any person to illegally traffic in such articles at our penitentiary.

**Industrial edu-  
cation.**

"The usefulness of the state industrial school at Kearney can be materially extended. A complete and thorough course, similar to that pursued in the agricultural schools of our state, should be made a part of the course of study. We can and should train a large part of the inmates in the latest scientific methods of farming. By developing a state farm in connection with this institution we can make it self-sustaining, and, at the same time, give invaluable help and instruction to the inmates. I recommend whatever legislation is necessary to carry out the foregoing suggestions."

Governor's Message, pp. 6-8, 9-10, 13-14.

**TASKER L. ODDIE,**

GOVERNOR OF NEVADA.

**Elimination of  
politics from  
Penal Institu-  
tions.**

"There are certain state institutions which I believe should be entirely removed from any direct or indirect influence from the vicissitudes of political parties, namely: The State Prison, The Or-

phans' Home, and the Hospital for Mental Diseases. We have by common consent removed the University from politics and it might be well for your honorable bodies to consider the expediency of removing these three other state institutions therefrom. In calling this subject to your attention, it is without criticism and with only the highest regard for the ability and competence of the present heads of these institutions. It is the system, which forces these institutions into politics, that I regard as a mistaken policy, and for which reason I believe that a nonpartisan board of charities and corrections, similar to those of other States, controlling the appointment of the heads and overseeing the management of these institutions, thereby removing them entirely from political influence, would be beneficial. Such a board, in my belief, should be honorary; consisting of seven or nine members; a less number than half of which may belong to the same political party and at least two members of which should be women; the members to be entitled to receive their actual traveling and other necessary expenses when attending board meetings or visiting such institutions. The board should be authorized to employ a secretary, at a stated salary, who should possess the experience and competence to act as a controller for the purchase of supplies for such institutions. In this connection I believe the saving effected by the purchase of supplies in bulk for these institutions collectively, by a competent controller, would not only cover the cost of such board and the compensation of such secretary, but leave the State a substantial balance to the good. In this connection, your attention is called to the saving which the State Board of Control has effected in California, the past two years, and similar provisions in other States.

\* \* \*

"In my inaugural message, two years ago, pages 16 and 17, I discussed at length the economy, expediency and humanity of employing convicts, under the system now in force in this State, on the public roads. This recommendation was predicated on correspondence dating back to November 1910, shortly after my election and before I had taken office, with Colorado, and also with the Territorial Good Roads Commission of New Mexico, where the system was first introduced and from which it spread with satisfactory results to an increasing number of other States. The bill which became a law was drawn by my secretary, submitted to my approval before its introductions, and was amended by the Legislature only in the one particular—that convicts delegated to road work were to remain under the control and supervision of the Warden, instead of the State Police, as the original bill provided. I refer to this history (which is easily substantiated by reference to my inaugural message and to certain letters and documents on file in my office) merely to correct some inaccuracies of statement which have been made in

**Reorganization  
of Board of  
Control.**

**Road work.**

respect to the origin of convict road work in Nevada, and not for the purpose of assuming any special credit for the same.

"There is no question but that the passage of this law has had a wholesome effect on our prison system, and been the means of giving a new start in life to a large proportion of the discharged and paroled men. About 40 per cent of the total number of our convicts have been performing good service under the honor system on the prison farm at the road camp. This system was inaugurated by former Warden Maxwell, in 1910, as will appear from his Biennial Report for 1909-1910, page 5, wherein, discussing the employment of prisoners on the prison farm, he says:

**Farm work.**

"They (the convicts detailed to the farm) are dressed in citizens' clothing, and are given substantial food. \* \* \* Before being placed on the farm the conditions imposed are explained to them and they are then informed that they are to be placed on their honor, the duty of the foreman and assistant being only to supervise their work and see that all conditions are observed."

**Honor system.**

"During the past two years there have been eight escapes from the road work and six from the prison farm, a total of 14; 8 of these have been recaptured, leaving 6 still at large, but almost certain of apprehension through the operations of the Bertillon system of identification. The detail of prisoners in such beneficial work has relieved the congestion in the prison and obviated the necessity of constructing a new penitentiary, a saving to the State of several hundred thousand dollars. The splendid highway now in course of construction between Reno and Carson City is a testimonial of the good and faithful work of these prisoners. The Prison Board requires the county in which road work is done to pay one dollar per diem per convict employed, and under which Washoe County has contributed \$17,902.50. While even with this contribution the cost of maintenance of road-camp prisoners is about 12½ cents per diem greater than when confined, the value of such permanent improvements to the State must be taken into consideration and, as well, the fact that unwholesomeness and degenerating effects of prison confinement on those who are not of criminal nature is obviated.

**Gain time for farm work.**

"Your attention is specifically called to the recommendation of the Warden that the provision of the Act with respect to time off and compensation, now applying to the road work exclusively, be also made applicable to those employed on the prison farm, which will tend to improve the service on the latter; also, to further suggestions in his report with respect to improvements, the stocking of the farm, and that receipts from the sale of its product and live stock may be invested in new stock and improvements instead of reverting to the General Fund."

Governor's Message, pp. 18-19, 20-22.

**ROBERT PERKINS BASS,**  
GOVERNOR OF NEW HAMPSHIRE.

"The State Prison comes directly under the management of the Governor and Council. By entering into a new contract with the employer of our Prison Labor, we have raised the price, which they will pay after the first of July next, from forty-three and one-half cents a day to sixty cents for the labor of each able-bodied inmate.

"We have arranged to take in about one hundred Federal prisoners, for whose care we receive substantial payment from the National Government. These two changes will result in making our prison a source of revenue instead of a constant drain on the treasury as heretofore.

"I strongly recommend that dependent families of prisoners be awarded a certain amount of the net earnings received in payment for the labor of such prisoners. At the present time it is often true that the wife and children of a convict bear a much heavier burden than the man who is serving sentence for a crime. Now that our prison will actually show a substantial surplus over the expenses, the State can use this surplus to no better advantage than in aiding the poor and often needy wives and children of the men confined in this institution. In the case of the convict without a family a portion of his earnings should be laid aside for his benefit on his release."

Governor's Message, p. 3.

**Increased receipts from prisoners' labor.**

**The prisoner's earnings for the prisoner's family.**

**WOODROW WILSON,**  
GOVERNOR OF NEW JERSEY.\*

"One important matter of administration can be and should be taken up at once and promptly provided for by legislation. I mean the administration of the charitable and correctional institutions of the State. These institutions have been established and developed in entire separateness. There nowhere exists any authority which can co-ordinate them or bring them into practical and serviceable co-operation. Their inmates cannot be reclassified or redistributed if once, by any mistake, they have been wrongly placed, or if they develop in a way not looked for when they were sent for treatment or segregation to a particular institution. The result is that individual institutions are authorized to do several kinds of work at once, for some of which they were not intended, and are, therefore, not equipped. They very properly have their separate establishments under separate boards of managers but these boards and the superintendents of the several institutions should be brought into co-operation, and a comprehensive system of charity and correction made possible, which will increase efficiency and prevent waste and ineffectual effort. This can be done by a reform very similar to that so fortunately effected last winter in the administration of our State system

\*1912.

**Reorganization of Board of Control.**

**Reformator;  
for women.**

of schools; by granting proper supervisory authority to the Commissioner of Charities and Correction and associating with him a small, responsible board, which may in turn, together with the Commissioner, advise with the superintendents and directors of the various institutions. Other States have already shown us the way in this important reform of organization, and we should feel impelled to take it by reasons of humanity as well as of efficiency and economy.

"In this connection I would urge very strongly upon the Legislature the need of a reformatory for women. A suitable site has already been chosen in Hunterdon County, near Clinton, and purchased by the authority of the State, and men and women whom the whole State knows and trusts have prepared plans for an institution for which all recognize the immediate need."

Governor's Message, pp. 7-8.

**WILLIAM C. McDONALD,  
GOVERNOR OF NEW MEXICO.**

**Reorganization  
of Board of  
Control.**

"There are four of what are known as State Institutions under our constitution, viz.: Miners' Hospital, Reform School, Insane Asylum and the Penitentiary, and each of these is under the control and management of a board composed of five members.

"These, like all others known as State Institutions of any kind, should be in fact institutions of the whole state, serving the interests of the state as a whole, and not in any sense local or under control of local interests. For this reason I have been of the opinion that they should all be under the control and management of a single board, the members of which should receive some compensation for their services. Thus would the state be entitled to receive better service for the payment made rather than have to depend, in some cases, on the gratuitous services of those who might prove indifferent or careless in taking care of its interests. To change the management and put these institutions under the control of a single board would require a constitutional amendment. And I believe that this should be adopted as soon as practicable."

\* \* \*

**Farm work.**

"The Reform School at Springer when properly considered, is a very important institution. Here is where, under proper control and discipline, young minds that have obtained the wrong bent should be readjusted and set in the way of becoming good citizens, useful and honorable to the state.

"The appropriation for this institution has been \$5,000.00 per annum, and receipts from other sources, as shown by the report, are about \$500.00 more, a total of about \$5,500.00. It is undoubtedly true that, under present conditions, this is not sufficient to maintain and manage

this institution in the manner that it should be, to obtain satisfactory results.

"The school has a small quantity of land which the inmates cultivate, but it is not sufficient to keep them busy or to produce sufficiently to be an important factor in maintaining the school.

"The board of trustees recommends the securing by purchase or lease of a tract of irrigable land with sufficient water for irrigating the same, say about 200 acres, which shall be sufficient to give employment to the boys in the school, where all kinds of crops can be planted and cultivated and also utilized for raising hogs, chickens and keeping cows for the use of the institution. This would not only help to pay the expenses by the sale of stuff produced and used in the school, but would also be of great benefit to the inmates of the school by reason of the useful training and the knowledge obtained in performing the work necessary to be done to make the farm a success. The board also recommends some equipment for industrial training, which I believe would be of great advantage in properly training those who should in fact, receive a reformatory education during their confinement in the reform school.

"The superintendent of the state penitentiary has prepared and submitted a report that covers every detail in and about the institution, and is as full and complete and up-to-date as could possibly be expected or desired. He goes into details, shows the condition as it was in and about the penitentiary, states what has been done to remedy these conditions and recommends for further consideration what he believes ought to be done by this legislature, to put that institution in the best shape for its proper and economical management, so that it may not only subserve the best interests of the state, but shall be a home for the inmates, as free from harsh and unseemly conditions as can reasonably be expected in an institution of that character.

"In the superintendent's report he asks for increased appropriations for maintenance, and I presume will undertake to show you that this is necessary for the proper care and management of the institution. He also asks for an increased appropriation to pay the penitentiary board, and this request is undoubtedly warranted from the fact that the salaries for the board, provided by law, exceed the appropriation made last year.

"The superintendent also asks for a new cell-house, which though not absolutely necessary at the present time, will probably be needed in a year or two, and it might be well to consider the advisability of preparing ahead for what seems to be inevitable. With prison labor, the cell-house could probably be built for fifteen thousand dollars. He also recommends new quarters for women, which would probably be better than where they are taken care of at the present time, though that work is not absolutely necessary now and can be postponed until some future date.

**Industrial edu-  
cation.**

**Appropriations  
for im prov-  
ements.**

Honor system.

"The repairs of and additions to the hospital building, including the completion of the new bath house, certainly ought to be done as soon as practicable. The appropriation for the same need not be large and the results will far more than offset any outlay that will be required at this time. A carpenter shop is recommended, which would undoubtedly be a good thing for the prisoners, for some of them at least would be able to learn a trade, which would be valuable when they are released.

"The question of employees' salaries is something that is worthy of careful consideration. I doubt whether just the sort of men that are needed to be on guard duty at the penitentiary and have the care of the prisoners can be obtained for the salary now provided.

"The two things of the greatest importance at the present time are: First, track scales by means of which all the coal purchased at the penitentiary will be weighed, so that a check can be kept upon those who are furnishing this article to the State; and Second, a convict farm where the inmates of the penitentiary can be employed advantageously for the state and with great benefit to themselves. We probably ought to have not less than 500 acres, a large part of which should be irrigable land with sufficient water for its use. Upon this farm, convicts could be employed usefully in various ways, not only in raising crops, which would be consumed at the penitentiary, but also in raising poultry and hogs and caring for cattle for the use of that institution. This work properly managed, would undoubtedly enable these men to become better citizens at the time of their release than they can possibly be if kept in idleness, or inside of the walls at any occupation. I believe that it is the general opinion of prison authorities that the farm is the most satisfactory method for employing and caring for convicts. This farm ought to be obtained at the earliest possible moment, as the institution has been sadly in need of something of this sort ever since it was established. Results obtained from the farm would unquestionably reduce and possibly at some time wipe out all expense relative to the maintenance and management of the penitentiary.

"The penitentiary board might be authorized to contract for such a farm as might be thought to be desirable, and an appropriation made to cover at least a part of the purchase price of such a place at the present time, with a continuing appropriation for the future to meet the further necessities.

#### Road work.

"There have been about 75 convicts, on an average, employed on the roads during the past year, and the results, as I am informed are much more satisfactory than they formerly were. These men are worked without armed guards, and have shown a keen appreciation of the confidence placed in them. The escapes are probably not

as great in number as when they were handled with guards. I believe the number on the road work can be increased with great advantage to the State and the men themselves."

Governor's Message, pp. 16-20.

**WILLIAM SULZER,**  
GOVERNOR OF NEW YORK STATE.

Conditions in  
the State pris-  
on.

"I herewith transmit to you a communication from the Commission on New Prisons, dated July 9th, 1913, and a proposed law drawn in conformity with its conclusions.

"Prison conditions in our State are a disgrace to civilization. As the Executive, I am mortified by the revelations. No appeal that I can present to you can exaggerate the pathos of the facts in this matter. Today, and for many years past, this State has confined many thousands of convicts in cells seven feet long, three feet and three inches wide, and six feet and seven inches in height. These cells are constructed in a rectangular cell-block of solid masonry. The only opening into these cells is through the door. The door opens upon a corridor which itself is enclosed in the prison building. In many of these masonry pockets in Sing Sing there are confined two prisoners.

"In speaking of Sing Sing and Auburn prisons the Commission appointed under Chapter 718 of the Laws of 1905, in its report to the Legislature, January, 1906, says:

"The night bucket system is employed in both prisons, and as the cell blocks of these prisons rest directly upon the ground, without any air space underneath them, it is practically impossible to install closets without reconstructing the entire cell blocks. These night buckets add a malodorousness to an overburdened germ-laden atmosphere. They cause the storing of excreta for ten to fourteen hours in an enclosure where a human being must remain in practical contact with it during that time. In both prisons this condition is duplicated in each of the 1,200 cells. The sanitary expert does not hesitate to say that verily this is far worse than living in a sewer. The plumbing fixtures of Sing Sing prison are foul and corroded; there is no evidence that the drains are sealed against sewer gases; and they afford no resistance to any back pressure created by the water locking of the sewer outlet when it is covered by high tides. The flow openings at such times are conduits for additional vitiation to an atmosphere already polluted. The sanitary engineer reports in relation to Sing Sing cell house, that its proximity to the river, its slight elevation above high-water mark, its construction without air space beneath, the character and mass of the material used in its erection, together with its defective ventilation, convert it into a vast refrigerator which condenses the warm and humid air,

**Gain time for prisoners.**

causing the moisture to be deposited on the walls, rendering the cells damp and vault-like. In the lower cells this condition is aggravated by contact with the main floor.

"Samples of air taken at an early hour in the morning at both prisons indicated that it contains an abnormal amount of carbon dioxide.

"In Sing Sing there are six tiers of cells. This causes a wide difference between the temperature in the lower and upper galleries. When the lower galleries are cold, the upper ones are abnormally warm. There is no remedy for this condition except the construction of a cell block having a lesser number of tiers."

"The place thus described is not for the confinement of noxious beasts but of human beings. No fitter school could be devised for the moral, mental and physical disfigurement of the man, in which he either succumbs to painful and lingering disease and death, or survives to continue on his release the life of crime which preceded his incarceration.

"I fully concur in the conclusion of the Commission on New Prisons, that immediate action is demanded both by the dignity of the State and by every feeling of humanity on the part of its people; that the longer continuance of such conditions as now exist at Sing Sing prison is intolerable; that not only is a new prison demanded to accommodate the increasing number of our criminals, but a prison of a wholly different kind and character; and that these relics of the horrors and inhumanity of the Middle Ages, in which the added ignominy of bestiality is stamped upon the face of crime, are as disgraceful to us who tolerate them, as they are degrading to those who are incarcerated in them.

**Appropriation  
for improvements.**

"I cannot therefore too earnestly urge that the Commission on New Prisons be empowered to act for the amelioration of these abhorrent conditions, and by the passage of the measure which I transmit to you, be furnished with the authority and funds necessary to accomplish that purpose.

"I therefore recommend this measure for your immediate consideration and I do hereby certify to the necessity of its speedy passage."

Special Message, July 16th.

**L. B. HANNA,**  
GOVERNOR OF NORTH DAKOTA.

"By recent laws the penal and charitable institutions have been placed under the care of a Board of Control.  
\* \* \*

**Road work.**

Another suggestion would be that the convicts at the penitentiary, or at least a part of them, might be employed during certain months of the year in the building of roads. For instance, the counties or

**Honor system.**

districts in which the roads are to be built should furnish the tools to be used in road building, and to pay in addition thereto the difference in the cost of maintenance between what it would cost to maintain the convicts at the penitentiary and while they are out on the road. Convicts who have merited the confidence of the warden and have earned good time should work on the roads, and there should be a diminution of their sentence for faithful service, as that would put them on their good behavior, and I have been informed that where this has been tried out in Colorado, that it is not necessary to employ guards to watch the men while they are working on the roads, a certain number of them being under the foreman during the day, and at night there is a guard of one or two trusty convicts, and it is said that the convicts escaping have only been two or three in the three or four years that this system has been tried out."

Governor's Message, pp. 3, 6.

**JAMES M. COX,**  
GOVERNOR OF OHIO.

"Our state government in an administrative sense, to be successful as a state unit, and through the vigilant eye of its police power assist the communities, must be maintained on a base having in view these considerations, namely: . . . . .

"Continuation of the reform in the conduct of the state's penal institutions which has been inaugurated and the abandonment of the present prison system."

"The commendation of the board of administration plan is fully justified by results obtained, but there is much yet to be done. In fact, every commission created during the last few years finds its function of wider benefit to the public interest than the authors of the legislation doubtless contemplated, and yet the administrative heads find many changes needed in the laws. This is not surprising since our laws can only properly be refined by experience. The public must not gain from the recurrent difficulties in the state institutions an impression that the board of administration plan is wrong in theory. The troubles encountered in the institutions of correction are more fundamental. The wisest management the mind can devise, and the most humane policy the heart can inspire cannot correct the basic defect of improper commitment. Your honorable body will find this fruitful field of inquiry. Local officials in some sections of our state commit persons to the wrong institutions, and no matter how obvious the mistake nor how serious its consequences to the management, the board of administration has no authority to make the simple transfer that would remove an otherwise insurmountable difficulty. It is unfair to the institution to send to a girls' home, for instance, young women of hardened depravity. Their influence over others, whose misfortune has been that of environment and

**Continuation  
of reform in  
management.**

**Investigation  
of committ-  
ments.**

**New penitentiary.**

who can under proper conditions be benefited, cannot but be harmful. At Lancaster, where the state is supposed to render service in improvement of morals, boys are committed who are feeble-minded. A few such charges can upset plans and policies of management that otherwise would work out along orderly and beneficial lines. The board of administration should be clothed with the power to review all commitments, and thus establish a base of homogeneity at least. A few counties by careless assignments from the courts can disorganize the whole machinery of the institutions and produce a seemingly impossible problem for the whole state. The board should also have the right to sit as a lunacy body over state charges and make transfers from one institution to another. Other states have found this a logical and practical arrangement. It will simplify administration and also work as an implied qualification for the members, because there should be on this body at all times, at least one officer who knows by professional experience the problems of this peculiarly exacting relation.

"I direct your especial attention to the declaration in behalf of a 'new penitentiary built and conducted upon plans drawn in accordance with the modern thought on this subject.' This project needs no defense because it was a part of the contract made with the people, and no opposition to it was voiced during the campaign when the issue was under discussion. This platform pledge was not made without considerable understanding of the whole prison situation in Ohio, nor did the people of the state give their endorsement without knowing both the purpose and necessity of the change. The facts justify the statement that no subject has taken greater hold on public interest, in years, than that of prison reform. The best thought on the subject is opposed to the Ohio policy and every condition wrought through an appreciation of the human welfare phase of the problem, makes our prison system stand out as an institution of the past, unchanged by either its tragedies or by a civilization that has laid hold on every other human agency.

"The problem of prison reform involves considerations quite apart from erecting a building, a railroad switch, new cells, a dining hall, a power plant, a sewage system and higher enclosing wall. The underlying desire is betterment of the race, the reform of as many prisoners as possible, aid to their families, earned by the men confined, and a contribution to the next generation of fewer human shipwrecks. The mention of the details of physical equipment is made necessary because objection has within a few days been made to the legislature against the prison reform plan, one of the chief reasons being past expenditure of vast sums of money for physical improvements in furtherance of the policy of continuing the old methods and the old institutions. I regret the necessity of dissenting from the view of my distinguished and able predecessor, and yet the question is so vital, that I cannot in conscience withhold expression of firm conviction on the subject. Over six hundred prisoners in the penitentiary are idle. Their time is doubtless spent in reflection over their own disgrace and the plight of their families

**Reformation  
not punishment.**

back home. The present method offers no apparent relief from this unspeakable condition. If employment can be afforded for the physical, mental and moral benefit of these prisoners in such manner as will yield reimbursement to the state for their keep, and an accruing profit to be sent to families deprived of their support, then this humanitarian consideration must outweigh every thought of continuing the present abominable system simply because a considerable amount of money has been spent at the old prison. I would much prefer the task of defending the new project to that of attempting to justify the enormous disbursements of money in maintaining the old one. I cannot subscribe to the view expressed that in providing by law for imprisonment of offenders 'the primary purpose is punishment.' The spirit of the provision seems to suggest that an example be made of the offender by banishment, which in itself is not in severe, and that the agency of the state should then be directed to the reformation of the prisoner if it develops there is a moral base to build on. Otherwise he is an habitual criminal, and his liberty is a distinct menace to society.

"My recommendation would be that the legislature ascertain whether sufficient land is now owned by the state for the purpose of supplying adequate food products for the several institutions. If not, the expense of buying more land will be abundantly justified by the results. More live stock should be kept on these farms, for the double purpose of adding to the food supply and increasing the fertility of the soil. On the state farm we should begin at once the erection of at least one building unit for the shelter of prisoners and the building operation should continue under such scope as the fiscal condition of the state justifies. The extensive operations of the state departments of agriculture call for much manual labor. The highways can be worked by convicts by a simple change in the laws, and legislative revision will also make possible the employment of prisoners on state buildings. These operations added to the work in the stone quarries will doubtless call for enough men to cover the honor list because the privilege of working out of doors should be earned by good behavior. Those who cannot in measurable safety be occupied in the methods described must of necessity be confined. They can be retained to carry on the manufacturing work in the prison, where clothing and other necessities are being made for the inmates of the state institutions. Our better instincts resist the thought of the state making any money off the labor of prisoners. During good behavior they should be given credit for a day's labor in such sum as measures their contribution to the state. From this the cost of their keep should be taken, and what remains, certainly in all fairness and right, belongs to their families. This plan will in short time reduce the prisoners who must be kept in close confinement, in such numbers that the maintenance of the old prison plant, on ground now possessing great commercial value, will be most impracticable. The equipment in the old penitentiary, used for lighting the state buildings can be set up

**Farm work.**

**Road work.**

**The prisoner's earnings for the prisoner's family.**

**Reformatory  
for first of-  
fenders.**

**Construction  
work by con-  
vict labor.**

in any one of the other institutions at the capital, and operated there with equal efficiency and economy. I therefore strongly recommend such legislative action as will work the changes suggested in the state institutions.

Governor's Message, pp. 14, 21-25.

**LEE CRUCE,**  
GOVERNOR OF OKLAHOMA.

"This State has spent several hundred thousand dollars in building and equipping the Penitentiary at McAlester, and we have there a Penitentiary modern in all of its details, and one worth much more than it has cost in appropriations. The reason for this is that the large part of the construction work was done by convict labor.

"In addition to this we have at Granite what is denominated "The Granite Reformatory." No very large amount has as yet been spent there in buildings. The reason therefor is two fold. First, there has been no money with which to go forward with the buildings provided for by the last Legislature, and second, the lack of agreement between the officials there and myself as to the character of buildings that are to be erected. My opinion is that the Legislature in establishing this institution intended to make of it a real reformatory and not a second penitentiary. Out of the \$125,000 it was proposed to be used at this place in the erection of buildings, more than \$80,000 was planned to be spent for steel cells. I do not believe that steel cells are essential in reformatories, and I am thoroughly convinced that those who require such confinement should be sent to McAlester and not to Granite. I also believe that those who are sent to the reformatory should be selected with the view as to the degree of criminality that has developed in them, rather than to allow the age of the convict to determine the issue. Men frequently in sudden heat and passion commit murder after they have passed middle life, and they are just as repulsive and are as much entitled to consideration as a younger man who commits a like crime. On the other hand, men who have not yet reached the age of twenty-five are among the most vicious and uncontrollable that the State has to deal with.

"This Legislature should define plainly the part the reformatory is to play in Oklahoma; if we are to have there a real reformatory, then the buildings should be erected to meet that condition. If on the other hand you determine this shall be in the nature of a second penitentiary, I would recommend that you abandon, for the present, any further efforts at buildings at that institution and transport all of the prisoners to McAlester. There are ample provisions for taking care of all the prisoners of both institutions at McAlester, and it would certainly be far more economical to have a single institution than to have two.

"A report from each of these institutions reveals the fact that the per capita expense of maintaining prisoners increases in proportion as the number of prisoners increases. The per capita cost of caring for the prisoners at McAlester during the year ending June 30th, 1912, while the average number of prisoners exceeded one thousand, was 40.9 cents per day; the average cost of maintaining prisoners at Granite, where the average daily population was 302, was 59½ cents per capita per day. The principal part of this difference is made up in the item of salary. The cost at Granite in salary per capita daily is 27½ cents, the cost at McAlester of the same item was only 11.2 cents. The 300 prisoners now at Granite could be taken care of at McAlester and add practically nothing to the salary account at that place.

"I believe, however, that we should have a reformatory where prisoners, without regard to age, and who can be trusted to observe the rules without having to be kept behind steel bars, could be committed; but before such an institution can be built it will require further legislation on your part.

"I also recommend to you that you amend our criminal laws, putting into practice in Oklahoma the principle of the indeterminate sentence, thus fixing a condition so the convict can by a proper observance of the prison rules and manifest reformation, earn his release. In the absence of any law on this subject, I have inaugurated a policy since I have been Governor of giving credits for good behavior and faithful work done the State, thus enabling the convict who obeys the prison rules and does good work, to reduce the term of his sentence by more than one-fourth of the total. The warden of the Penitentiary has also given additional hope and encouragement to these prisoners by adopting the plan of making "trusties" of those who prove themselves worthy of this badge of trust. The result has been very satisfactory, and to-day there is a larger percentage of "trusties" in the Oklahoma Prison at McAlester than in any other penal institution in America.

"A law, however, passed by the Legislature that would fix it so that the prisoner could reduce his sentence by giving evidences of reform, would relieve the Governor of many applications for pardons and paroles which should never be brought to his attention."

\* \* \*

"I also recommend that you amend the laws so as to permit either the Trial Judge or the custodian of prisoners in misdemeanor cases to give proper credits to prisoners for faithful service rendered and for good behavior. As already stated in this message, I have inaugurated a policy of this kind at the penitentiary, and practical application has demonstrated the wisdom of the same. In many communities prisoners serving misdemeanor sentences are placed at work upon the public roads. The prisoner goes forth feeling that he has his full time to serve, and that no matter how hard he may work there is to be no

**Per capita cost  
of prisoners.**

**Credit system  
for prisoners.**

**Industrial education.**

**Development of public account system**

reward. The result is that his time is largely taken up in an effort to evade work. Experience in Oklahoma convinces me that in the majority of cases, the cost of guard hire and other expenses incident to the working of prisoners on the road is more expensive to the County than it would be to employ free labor to do the same work. The reason for this is that the prisoner,—having no incentive to do the best work possible, accomplishes much less in a given time than the paid laborer does. If, however, the prisoner could shorten his sentence by doing efficient work, and it was left to the foreman in charge of him to say each day whether or not he was entitled to such credit, I believe that much more effective work would be done, and that our prisoners, serving in the jails of the State, could be made a source of profit to the County, rather than a continued expense.

"Another thing that I recommend is that you pass a law permitting the employment of convicts on certain enterprises in Oklahoma, where they will not necessarily be brought in competition with free labor, but where they can learn some useful occupation, and in a measure become self-sustaining. We now have at Granite and at McAlester more than fifteen hundred convicts, fully one thousand of these are able-bodied men. To permit these men to remain in idleness and have them supported by the taxpayers is a crime against humanity and an outrage upon the people. There are many industries that these men could be put to work in that would in no wise conflict with the labor of any man in the State outside the penitentiary, but would aid in cheapening many products that are sold in Oklahoma but not manufactured here, and would enable these prisoners to sustain themselves. Take the one item of twine,—we have not a single twine factory in Oklahoma. The farmers of this State are compelled every year to pay tribute to the twine trust in the form of exorbitant prices for twine used in harvesting their crops. If we were to establish a twine factory in the penitentiary the product could be sold to our farmers at a price much less than they are now paying, and the revenue derived therefrom would be more than sufficient to pay all expenses of prisoners engaged in the work.

"The majority of these prisoners are in the penitentiary for a limited period; they will soon have served their sentences and be released to become a part of our citizenship. Two, three or five years of confinement in idleness is enough to sap the strength and ambition from almost any man. Instead of pursuing policies that will tend to improve and reform these men and send them forth to become useful citizens, we are adopting a policy that will inevitably lead to confusion and hurt in this commonwealth. Instead of these hundreds of able-bodied men becoming objects of charity to be tied upon the backs of the people, they should be made to stand alone and made to earn their own bread and clothing by the sweat of their brow. This policy, while it may meet with the serious opposition

of a few, is certainly in the interest of the great mass of Oklahoma's citizenship, and being such, deserves to receive your earnest consideration.

"In some sections of the State there is a difference of opinion as to which should bear the expense of transporting prisoners sentenced to the penitentiary,—the County or the State. Some of the Counties have taken the position that in as much as the prisoners are State prisoners, the State should bear the cost of their transportation to McAlester; other Counties have made no such contention, but have sent their prisoners to the penitentiary as fast as they were sentenced.

"In Oklahoma County some of the prisoners have been kept in jail for months after sentences had been pronounced. The reason given for not transporting them and permitting them to begin at once the serving of their sentence, was that the State should pay the cost of such transportation, and that the County Commissioners refused to make provision therefor.

"There is no reason why this burden should be borne by the State. If the State takes care of the prisoners of a County, it has certainly done its part, and that County should not ask that the additional burden be placed upon the State by its having to go after the prisoner. The County that is desirous of ridding itself of its criminals, should bear whatever expense is incident to their removal to the penitentiary, and if our law is not sufficiently explicit upon this question to remove all doubt, I recommend that you make it so."

Governor's Message, pp. 83-92.

**OSWALD WEST,**  
GOVERNOR OF OREGON.

"You were promised two years ago that the maintenance appropriations made by you for the support of our State institutions would answer the purposes and that you would not be called upon to make deficiencies good. I am pleased to advise you that this promise has been kept.

"Our State penal and eleemosynary institutions have an approximate population of 2,700 inmates. Their care has necessitated the hire of 370 employees and an average annual expenditure during the past two years of about \$1,000,000. This is a vast sum of money for the taxpayers of the State to be called upon to pay each year, yet it is a condition which has to be met. These institutions are a product of the times and present day society and until we consent to study the causes which fill them and take steps to remove these causes we may expect to be called upon to meet, not only the present demands, but greatly increased burdens in the future.

"Too often these institutions have been used as political footballs so that their affairs and needs have many times failed to receive at

**Improvement in transportation of prisoners.**

**Investigation of causes of crime.**

**Elimination of politics from penal institutions.**

the hands of the legislature the sober, sincere and unbiased consideration which they merited. Inmates have been made to suffer through failure of the legislature to provide adequate funds for their care and support—this due at times to indifference on the part of a superintendent and at others to a desire on the part of someone in the legislature to embarrass him in his work. Politics is not now a factor in the management of these institutions. The present board can say, and without fear of contradiction, that this influence has never in a single instance dictated the selection of an officer or employee at one of them.

"The last legislature treated the institutions with fair liberality, and the board, through close attention to their affairs and the hearty co-operation of officers and employees, offers them to-day for your inspection in a far superior condition than has ever before existed. Should their needs receive the consideration which they merit at your hands, and I am sure they will, the board can promise you two years hence a group of institutions ranking among the best, if not the best, in the United States, and this notwithstanding that many of the buildings are old and out of date.

"The reports of these several institutions set forth in detail the expenditures during the past biennium and make known their future needs. Copies of these reports having been mailed you, it will not, therefore, be necessary for me to discuss their needs except in a general way.

"The Purchasing Board has proved its usefulness not only in simplifying the purchase of supplies for State institutions and at most satisfactory prices, but in pointing out the advantages which would accrue to the State from a further consolidation in the management of all State institutions.

"All State penal and eleemosynary institutions should be placed under a single board of control and to avoid creating new officials and expense the said board should consist of the Governor, Secretary of State and State Treasurer. The State Purchasing Board should be merged with this board. By this arrangement the management of our State institutions can be greatly simplified and the cost reduced."

"This institution (The Reform School) is being used as a dumping ground for boys who should be living in better homes. Many parents cause, or permit, their children to be committed here for no other reason than that they may be relieved of the burden of their maintenance. This should not be tolerated. Parents should not be permitted to cast a life-long stigma upon a child in order that they may be relieved of a duty which they owe to it and to society.

"On the other hand there are incorrigibles committed here who are too vicious to be associated with boys whose reformation would otherwise be possible. These should be sent to another institution—a reformatory, a halfway station between the training school and

**Reorganization of Board of Control.**

the penitentiary, a place where those whose age or records make them out of place at either institution, could be confined.

"The institution's daily average population appears to have been one hundred and the monthly per capita cost \$23.25, to say nothing of the expenditures for betterments and improvements. Of this monthly per capita cost about \$10 went for salaries of officers and employees. This is an amount nearly twice that of similar expenditure at the penitentiary. These figures go to show that the institution is, and will be for years to come, top-heavy, and that it is placing unnecessary burdens upon the taxpayers.

"I would, therefore, recommend that the institution no longer be used for the purposes to which it is now devoted. I would further recommend that simple cottages and other necessary buildings be erected upon the lands owned by the State at Union, Oregon, and that after about one-half of the boys now at the school have been returned to their parents or placed in suitable homes, the remainder be transferred to said farm at Union there to receive all necessary training and education.

"This institution had its birth about forty years ago. Added years and population brought it added filth and added rubbish. For two whole years we have shoveled and scraped and scraped and shoveled in an endeavor to make the institution and grounds clean and sanitary. We have made much progress, but still have far to go. However, this coming year will see such work pretty well taken care of and the institution and properties take on an appearance which will compare favorably with the best of similar institutions in other states.

"The superintendent's report presents in detail much information in regard to the affairs of the institution and merits your careful consideration. The institution's problem is what to do with its surplus labor. This question must be met. During the past year we have been able, in spite of unjust criticism, misrepresentation and many obstacles, to keep the men all busily engaged and at occupations which were of profit to the public.

"Upon taking office I found scores of idle men in the institution and their ranks were suddenly swelled by the cancellation of the stove foundry contract. Notwithstanding the dilapidated structures and the filth and rubbish sadly in need of removal, many of these idle men were locked in their cells or permitted to loaf around the prison yard.

"To relieve the situation, those whom it was thought could be trusted were sent out to work on the roads and at various State institutions. The balance were kept busy in and about the prison premises cleaning and repairing the building and in clearing and reclaiming waste and unproductive lands.

"The people of this State at our recent election by a large vote

**Reformatory for first offenders.**

**Road work.**

#### **State use.**

endorsed the policy of working convicts on county roads and at State institutions. It can therefore be taken as a settled policy and one which will take care of about one-third of our prison population. A similar number can be utilized in the ordinary upkeep of the prison and prison properties. This leaves one-third of the population not provided for. These men cannot and must not be left in idleness. The institution can work out its own salvation if the management is given the right and authority to conduct it on business principles and use institutional earnings to cover operating expense, install additional industries and take care of needed improvements.

"Turn to the brick yard account of 1911 and you will find, notwithstanding over one-third of the brick manufactured was delivered to State institutions at \$5.00 per thousand, the sum of \$16,700 was turned into the State Treasury. Ten thousand dollars of this amount was profit and the total would have been \$12,000 had full value been collected for brick furnished the institutions.

"Then came the critics who attempted to prove that it was unlawful for us to make money for the taxpayers and we were obliged to cease. It was with difficulty that we found a way to manufacture brick to meet the needs of the several State institutions during 1912 and keep within the law as pointed out by our critics.

"The total cash earnings of the institution during the biennium was \$40,055.01. Earnings through labor furnished State institutions and counties, figured at 75 cents per day, but not collected, amounted to \$29,615.75, making a total of \$79,570.76 or just about one-half of the maintenance cost of the institution.

"What Oregon's prison policy shall be in the future rests largely with you. We have put forth our best efforts in an endeavor to solve the prison labor problem and feel that we have made much progress—in fact far more than was thought possible in the beginning.

"With the installation of industries and the manufacture of articles for State institutions only, the prison can within a few years be made self-supporting. Industries can be gradually installed and paid for out of the institution's earnings if such a course is authorized, but if not authorized then an appropriation of at least \$25,000 should be made for the use of the management in procuring needed machinery.

"The last legislature appropriated \$11,250 to install 24 new steel cells. Through favorable prices on materials and the use of our own labor we were able to install 48 cells, thus fully supplying the demands of the institution.

"The average per capita transportation cost based upon admissions during the biennium ending September 30, 1912, for the insane and prisoners was as follows: Convicts, \$37.00; insane, \$13.00.

"It will be seen that it costs the taxpayers far more to transport a prisoner than it does an insane patient. This difference in cost

is due to the fact that the insane are transported by attendants from the asylum while the prisoners are delivered at the prison by the sheriffs. The cost of transporting the insane is now only about one-half what it was when the work was being performed by the sheriffs. The transportation of prisoners should be placed with the prison authorities; or legislation of some kind should at least be adopted with a view of reducing the cost."

\* \* \*

"Degenerates and the feeble-minded should not be allowed to reproduce their kind. Society should be protected from this curse. Our asylums and our prisons are being populated afresh through such parentage. We confine the vicious and the irresponsible for a while, only to send them forth to blight the future by the creation of defective children that grow into the criminal or the imbecile.

"Society is crying for protection and this protection should be given. False modesty, in the past, has caused us to speak softly and to handle this subject with gloved hands. Recent disclosures have emphasized the fact that the time has come to speak aloud.

"The State has been shocked by the recent exposures as to degenerate practices. But this is an old story to those who deal with our jails and our asylums. Should you gentlemen desire to investigate this subject I would refer you to the superintendents of the penitentiary and the asylum.

"But do not delude yourselves with the idea that these conditions are confined within the walls of our prisons or asylums. These degenerates slink, in all their infamy, through every city, contaminating the young, debauching the innocent, cursing the State.

"Two remedies are needed—one of prevention, another of cure. We have from session to session been considering the first. We should now act upon the two.

"Sterilization and castration offer an effective remedy. I would recommend, therefore, that a statute be enacted making it the duty of our State penal and clemency institutions to report all apparent cases of degeneracy to the State Board of Health. It should be made the duty of the said board to cause investigation to be made and, if the findings warrant, to cause such operations to be performed as will give society the protection it deserves."

Governor's Message, pp. 3-5, 8-11, 18.

**JOHN K. TENER,**  
GOVERNOR OF PENNSYLVANIA.

"In my judgment, the penal system of the Commonwealth should be extended so as to provide for the creation and establishment of an industrial and educational reformatory for young women, between the ages of fifteen and thirty. We have such an institution—the

#### **Improvement in transporta- tion of prison- ers.**

#### **Sterilization.**

#### **Industrial education for women con- victs.**

**Congregate method.**

Pennsylvania Industrial Reformatory, at Huntingdon—for young male offenders; but, under existing laws, women must be imprisoned with male criminals in our jails and penitentiaries. Obviously, such joint imprisonment must seriously interfere with, if not entirely defeat, the reformation of such young women, which is the chief object of their incarceration.

"The "congregate method" should be made a part of our penal system; and hence I recommend the passage of an act providing that the inspectors, commissioners and managers of penitentiaries, jails, houses of correction and refuge, and reformatories shall be authorized, in their discretion, to have the inmates of such institutions congregated for the several purposes of worship, labor, learning, and recreation.

**Farm work.**

"Attention is called to the Act of March 3, 1911, P. L. 32, providing for the selection and purchase of a tract of land and the erection thereon of buildings for the Western Penitentiary.

This highly meritorious plan for ameliorating the condition of convicts and treating them in a humane manner is commended everywhere. The Board of Inspectors charged with the responsibility of carrying this work to completion has made much progress.

"I call this subject to your attention, and recommend that an appropriation be made in order that there may be no delay in the accomplishment of this commendable purpose."

Governor's Message, pp. 18-19.

**ARAM J. POTIER,  
GOVERNOR OF RHODE ISLAND.**

**Increased powers for Board of Control and Supply.**

"The scope of authority of the Board of Control and Supply should be extended. This Board ought to be the purchasing agent for such supplies as are used in abundance by the different State departments. It should, furthermore, have the power to pass upon and approve the terms of all contracts entered into, on behalf of the State, by any department.

"There can be no valid objection to the exercise of such a function. It would mean simply a checking up, by a board created for the purpose and experienced in its duties, of the occasional transactions of other departments having less facilities for securing the best bargains for the State. Until the establishment of this Board, there was no provision whatever for the review of a State contract or a State purchase. The results accomplished, during the few months it has been in existence, are familiar to everyone, and give ample assurance that were the scope of its operations increased the beneficial effects would be equally pronounced. I therefore recommend the enactment of a law that will require, as an element of

the validity of every State contract, the written endorsement thereon of the Board of Control and Supply.

"The work performed by this Board, in connection with the institutions over which it was given the exercise of special authority, is deserving of a great deal of credit. The Board was appointed in May, 1912, to take over the purchasing of all supplies of whatever nature used by the State Hospital for the Insane, State Farm and Almshouse, State Prison and Providence County Jail, Sockanosset School for Boys, Oaklawn School for Girls, State Home and School, Institute for the Deaf, School for Feeble-Minded, and State Sanatorium; the sale of products raised and such goods as were manufactured by them; the erection of buildings, making of repairs, etc. The board soon found that each institution had a bookkeeping system of its own, and one of its first duties was to establish a uniform system of accounting. The entire bookkeeping of the nine institutions is now carried on in its office.

"The Board obtained from the several institutions an inventory of all the supplies, stock and material on hand July 1, 1912. On that date the Board took over the actual control of purchasing for these institutions. It has followed the policy of purchasing by competitive prices where it was impracticable to ask for open bids. This practice has resulted in a distinct saving to the State.

"The abrogation of the shirt contract with the Sterling Manufacturing Company has brought about a new contract for the making of shirts with the Crescent Garment Company, at fifty cents per dozen, or twenty cents per dozen above the old contract price. The Board believes that the new contract will bring over \$30,000 additional revenue to the State each year.

"The Board recommends an appropriation for a central storehouse at the State institutions where a cold storage plant can be installed, with storage capacity sufficiently large to enable the Board to go into the market and make purchases in quantities; a sprinkler system for increasing the yield of vegetables; an appropriation for the purchase of hosiery, underwear and shoe machinery for the manufacture of clothing for the wards of the State; the installation of fire escapes at the Rhode Island Institute for the Deaf; a new laundry building and a system of lighting for the dormitory of the School for Feeble-Minded, and various other improvements at the different institutions under its control.

"I agree with the suggestion that the management of all State institutions should come under the supervision of one department. I firmly believe in this policy, which I am convinced would be productive of highly beneficial results to the State. The welfare of the inmates and the sociological problems involved should be left to boards of trustees, visiting boards, charity boards, educational boards, and others now having them in charge; but their duties

**Increased receipts from prisoners' labor.**

**Appropriations for improvements.**

**Reorganization of Board of Control.**

should not extend to the care and management of State property, to the expenditure of public funds, or to the exercise of authority over the superintendents or other officials to whom is delegated the custody of State property.

"I realize that in advocating this radical change from the policy at present in force, I am proposing something which will affect materially the management of the penal and reformatory institutions in Cranston; but I am convinced that there is need for taking serious account of their conditions and improving them along modern and practical lines.

"I have devoted considerable time and thought to the conduct of charitable and correctional institutions and the line between the two classes of duties required in their oversight is, to my mind, clear and distinct.

"One of these classes or divisions refers to the care and repair of all buildings; their heat, light and mechanical equipment; the food, clothing, and all the means for supplying the necessary physical wants and proper comforts of the inmates. This requires largely an application of business principles, and a strict accounting to the taxpayer.

"The other fundamental division may be described as sociological, and the problems which it presents are innumerable and are constantly changing. They include, for instance, the past, the present and the future of each and every ward of the State in all his relations. They have reference to every detail of his daily life; his physical, mental and moral state; his medical and occupational treatment; and his status as a proper charge upon the State.

"The important consideration that arises is, how shall the propositions of business and charity be administered so that there can be co-operation and co-operation throughout.

"Within the past two generations, great changes have taken place throughout the United States in the growth of public charities and correctional institutions, and the methods of administering the same. These problems have been met in various ways in different states; but it is questionable if a method of administering the charities and corrections found to be eminently successful in any one state, can be applied with an equal degree of satisfaction to another state, as conditions are not everywhere uniform.

"In the State of Rhode Island between 1870 and 1910, the population increased two and one-half times. On the 31st of December, 1871, there were in the institutions under the supervision of the Board of State Charities and Corrections, a total 320 inmates. For the year 1911 the daily average number of inmates under the charge of the same Board, with the same form of organization and methods of supervision as existed forty years previously, was 2,023.

"This increase in accounted for by the fact that, in the meantime,

additional institutions have been placed under the care of the Board; and also because of the natural growth in population, and the new demands brought about by changing social conditions.

"The result has been that such burdens were placed upon the Board of State Charities and Corrections that it was unable to do justice to all the features of the work.

"The State has not been fully alive to its obligations toward its dependents and unfortunates, and has consequently fallen behind in the enlightened development of their control as compared with other states. This is a criticism of the State as a whole, not of any especial body of men.

"Rhode Island now seems to be in a position to face these problems, and to take action upon them. The General Assembly of 1912 created the Board of Control and Supply, endowing it with many of the powers of the Board of State Charities and Corrections. The latter Board, at the same time, was left with no adequate definition of its duties. This condition must be attended with complications and confusion if it continues, and will inevitably occasion neglect of some of the obligations which the State is morally bound to assume in the administration of its public charities and institutions.

"The time is ripe for the most serious consideration of the whole problem of State Charities and Corrections. The conditions call for a readjustment of the methods of control and supervision of the institutions now in charge of this Board. This is a task of no small magnitude and any method which is proposed should receive the closest scrutiny before being enacted into law.

"At the outset the task will be simplified if the two fundamental divisions of the work are recognized. These have already been referred to as the business division on the one hand, and, on the other hand, the social division.

"The creation of the Board of Control and Supply has already opened the way for the business division of the work to be performed. All of the present institutions are growing, and it is not improbable that others will be created; so that the future must be regarded in respect to the probable growth of the duties and responsibilities of the Board of Control and Supply.

"This Board, therefore, should be relieved of such duties and powers as relate to the social and individual aspects of the work of conducting these institutions; but it should have the appointment of the heads of all such, the fixing of all salaries and the control of all finances, leaving to the Board of State Charities and Corrections, and the other Boards now having special supervision over charitable and correctional institutions, such sociological and individual duties with respect to the welfare of the inmates as they are by law now charged with, and as do not conflict with the proper functions of the Board of Control and Supply."

**Conditions at  
penitentiary.**

**COLE L. BLEASE,  
GOVERNOR OF SOUTH CAROLINA.**

"Gentlemen, I desire again to call to your attention your hosier mill at the South Carolina penitentiary—this hosier mill more properly named the "South Carolina tuberculosis incubator." I shall not burden you with a message in regard to it, but refer you to House Journal, 1912, page 119, Senate Journal, 1912, page 90, and would ask you to read my message of last year upon this matter, and then go to the penitentiary and see for yourselves. But remember, gentlemen things are in very much better condition now than they were at the time of the message to which I have referred you. The floors have been cleaned; the spider webs have been brushed off the window sashes; the windows have been opened; the cuspidors have been cleaned, and many other changes have been made since I began to raise what some of the officials have termed hell. I am glad I raised it, gentlemen, if I have helped some poor fellows, even though they are not out; and now I want to raise a little more of it, and abolish this infernal death trap—this earthly hell. If you do not abolish it I cannot make you. And I am not going to make any threat. I am getting too old for that. It is a demand of humanity which I am calling to your attention, and it is for you and the demand is upon you.

"In the thirty-third annual report of the State Board of Health, submitted to me by the chairman, Dr. Robert Wilson, Jr., of Charleston, and which will be transmitted to your bodies, this eloquent plea is made:

"Once more we plead for aid to enable us to grapple with the tuberculosis evil. Year after year this terrible scourge goes on with its train of suffering and death and poverty, and its waste of hundreds of thousands of dollars, and nothing is done. Other States are spending large sums of money to check its spread, but South Carolina spends nothing. Will the Legislature never awake to the economic importance of this disease and support the Board of Health in its fight?"

"If you desire, in addition to what has already been given you, any further information in regard to this hosier mill, I will take pleasure in furnishing you a list of the names of witnesses, who will come before your bodies and give you a full and detailed account of this institution; of how prisoners are treated in the penitentiary, the kind of food that is given them, the kind of clothes put on them, and all the inside facts. These are men, who, although they were convicted of violation of law and have suffered punishment, will be recognized as truthful men, some of these unfortunates having been convicted, not of theft or perjury, or other heinous crime; but of that class of crime which even the best of us may be harassed into committing, and they are known among their neighbors and

friends at home as honest and upright men, although they have suffered misfortune. In other words, gentlemen, if you want the information, I will furnish it; all you have to do is to signify your desire to receive it."

Governor's Message, pp. 15-17.

**Reformation  
not punishment.**

**FRANK M. BRYNE,  
GOVERNOR OF SOUTH DAKOTA.**

"I spent part of a day at the Penitentiary, and made as thorough an inspection as possible in the time I could give. The penitentiary is well managed, measured by the ordinary standards of prison management of today. I believe, however, that we are approaching the dawn of new day in some phases of such work, and are but now catching glimpses of the true spirit which should prevail in the conduct of prisons, and the duty society owes to those confined within prison walls. We should never forget that the main purpose of imprisonment is reformation of and encouragement to the individual. It is perhaps true that there are those who are naturally criminally inclined, and others who seem to acquire the inclination. Some such there are who may be called willful or confirmed criminals, but in numbers they are relatively few. The others to a greater or less extent are unfortunates, who because of temptation or environment have made a misstep, but for whose reformation, or restoration, there is hope and prospect. To such, society should ever extend the hand of hope. They should be encouraged in every way to return to the fold of good citizenship.

"In studying prison statistics one is struck by the ever recurring evidence of the fact that most of the occupants of prisons are boys and very young men. In our own penitentiary, of the two hundred nine-two prisoners received during the two year period ending June 30, 1911,

46 were under 21 years of age,  
104 were under 25 years of age,  
174 were under 30 years of age, and  
212 were under 35 years of age.

That is to say: Of the total number received in two years, substantially three-quarters were under 35 years, sixty per cent under 30 years, thirty per cent under 25 years and sixteen per cent under 21 years of age. It is plain that a majority of our prison population consists of mere boys in age, gone wrong in the formative period of their lives. It would, indeed, be a severe indictment of society and modern civilization to deny that most of these are material for good citizenship. Even amongst the prisoners of more advanced age are very many who can be trusted and are worthy of confidence and are amenable to encouraging treatment.

**Difficulties in  
road work.**

"I am firmly convinced that for this class of prisoners, which, I believe, constitute a good majority of all, outdoor employment should be furnished so far as possible, and they be dealt with on honor as men, so far as is consistent with proper discipline and safety. A popular suggestion for such employment at the present time is work on the highways. A plan for such employment may be worked out to some extent, but there are obstacles in the way under our conditions. In the first place, on our level prairies, road work is done almost exclusively with teams, and a comparatively small amount of work is required in a given space. Approximately, as many teams as men would usually be required. It would be impossible to establish camps from which a large gang of men could operate for a considerable time, as is the case in mountainous regions. Again, under our system, road work is done chiefly by the townships, some by the counties, which would require some sort of an agreement or contract between the state and these local organizations. It is to be hoped that some day the state will contribute to the building of roads, when it might directly employ prisoners in this field. I do not wish to seem to discourage the plan of employing convicts at road labor. I am simply pointing to some of the difficulties in the way under our conditions and present system.

**Farm work.**

"For long, I have believed that farm operation was the natural and proper employment for ordinary prisoners, especially the young, the first termers, those who are serving short sentences, and those, in general, who demonstrate that they are worthy of confidence. I learn that the state owns a tract of farm land, about two hundred forty acres, some distance north of the Penitentiary, and am informed that this land was, indeed, originally purchased for the Penitentiary. It is too far away to work advantageously from the Penitentiary itself. I recommend that you make provision for the immediate erection of suitable buildings, and that arrangements be made to operate a farm on this tract of land at once, with the labor of such of the inmates as the Warden and Board of Charities and Correction may deem best suited and most deserving of trust. If it proves successful, as it seems to have proven highly successful in other states, it could be extended from time to time until employment of this kind was furnished to practically all of the inmates who can safely be entrusted in such work.

**Abolition of  
contract sys-  
tem.**

"I have examined with a good deal of interest the contract under which the state is manufacturing shirts in the Penitentiary for the Sterling Manufacturing Company. I have always been opposed to contract labor in prisons. Lately I have given some special attention to the matter, and am more than ever convinced that in principle and practice it is absolutely wrong. In this instance, the state is here manufacturing an exceptionally good class of working shirts for thirty-six cents a dozen, three cents apiece. I do not com-

plain especially on the ground that it may not furnish sufficient profit. From my standpoint, profit in a matter of this kind, is a secondary consideration. I call your attention, first, to the fact that the state, in making shirts for such beggarly prices, is engaging in grossly unfair competition with a class of workers already shamefully underpaid. For this price the state furnishes room, light, heat, power and machinery of all kinds—cutting machines, sewing machines and everything used in the manufacture of shirts except the material; unboxes and unpacks the material, packs and boxes the completed shirts, all for three cents each. My complaint of the price, remember, is not especially that it does not furnish the state sufficient profit, but principally that it is brutally unfair competition with the workers in this line of industry.

"It is claimed by those who should be in a position to know that the combination known as the Reliance-Sterling Manufacturing Company of which the Sterling Manufacturing Company is a part, controls the contract labor in eleven or more different state prisons and reformatories, and is commonly known as the "Prison Labor Trust"; that the company was organized about ten years ago with a very small and insignificant capital; that its profits have been such that its growth is remarkable, having now a paid up capital stock of over half a million dollars, and an annual business in the neighborhood of four million dollars. It is said that in different states the contract is let to different individuals, partnerships or companies, but that all such contractors are connected with or a part of the Reliance-Sterling combination. So far as I have been able to learn, the price paid on the contract in our penitentiary is below the average, though I have not a great deal of information in regard to this. It seems, however, that in Indiana the contract price is forty-six cents a dozen, and in Rhode Island, thirty-nine. I have not been able to learn of any other contract in which the price named is so low as ours, thirty-six cents a dozen. I have also been permitted to examine an elaborate lot of estimates and figures purporting to give the usual cost of manufacturing shirts with paid labor. The figures I have show that the lowest estimated cost under such conditions ranges from \$1.20 to \$1.40 per dozen. If this is true, and I believe it is, it will give you some idea of the inordinate profits to be made by this combination on the contract with our penitentiary, and I do not hesitate to characterize such profits as blood money of the most inexcusable sort, secured at the expense of the hope and prospects of unfortunate prisoners who should be engaged in self-respecting and self-developing labor, and in brutal competition with those workers who earn their living in similar industries.

"Again, I call your attention to the fact that no benefit comes to the individual man from this class of work. In the first place, it can hardly be called self-respecting labor. Understand, men here

**Unfair com-  
petition with  
free labor.**

**No educational  
value.**

#### Farm work.

do not learn to make a shirt. There are twenty-five or thirty different operations. The material is started at one end of a long table, where men sit crowded close together, passing along from one to the other, each adding his little share, performing his particular little operation, and at the other end it comes out a shirt. Do you say these men are learning a trade? I ask, what trade? One man, for instance, simply sews on buttons with a machine, nothing else. If you say he is learning a trade, I answer that he is simply learning to sew on buttons, and, when released, the only possible benefit his experience can be to him is that he has learned to sew on buttons, if, anywhere in the world to which he is restored, he can find a similar machine. So it is with other operations. One man hemms a collar, another sews it on; one attaches a cuff, another hemms it; none getting any experience whatever in shirtmaking except in his own little part. There is absolutely nothing in any of these operations that in any way fits boy or man for earning an honorable livelihood when going again into the outside world.

"There is only one possible consideration which, under any circumstances, could be offered in favor of such labor or the contract under which it is carried on, and that is that it furnishes employment. I will freely admit that if it was necessary to the employment of the men that it would be excusable; as between making shirts, even on contract, and idleness, common humanity would dictate that the men make shirts, but there is no such alternative necessarily offered. There are vastly better ways in which the men can be employed, in which they may learn useful, self-respecting occupations and earn much more for themselves and the state, than on this contract, so every consideration is against its continuance. From every standpoint, to allow prison labor to be exploited under contract is inexcusable and unwise. I assume that when the present contract expires it would not be renewed in any event, so it may be unnecessary to make a recommendation in that regard. If, however, the circumstances and the contract are such that it can be terminated immediately, it should be done. I recommend that you look into this matter carefully and enact such legislation as may be necessary to positively prevent the renewal of this contract, or ever again making such a contract in this state, and providing for the termination of the present contract in the near future if you find that practicable. It should not be continued a day longer than is necessary to arrange for other employment for the inmates. Some of them could be put on a farm, as I have already suggested, even the coming summer. The institution could thus provide some of the vegetables, milk, eggs and other produce necessary for its use, so that the work of at least some men could be utilized profitably, and in work that would be beneficial and helpful to them. In the first place farm work is good, healthy, invigorating, self-respecting labor. Again, it offers

Credits for  
good behavior.

opportunity for men, if they will, to learn the details of an industry that may be useful to them in after life. If a man being released from prison could go out with a certificate of the Board of Charities and Corrections or the Warden, certifying him to be a good, efficient farmer, or stock man, or dairy man, or a willing and efficient worker in any department of farm labor, it might be very helpful to him in his efforts to find a place and readjust himself in society and earn an honorable living. By the discriminating use of the indeterminate sentence and the parole, and a generous system of credits for good behavior, especially for trustworthiness when at work away from the Penitentiary and the usual restraints of prison life, with the provision that such credits would be certainly cancelled for any attempt to escape or to abuse privileges granted, a well managed farm might be made a most important factor in helping many of those unfortunate men back to a useful life. Starting now on the small tract of land I refer to here, operations could and should be extended until a large, well equipped farm might be developed, conducted on modern, advanced lines, which, while being made the means of redemption of many good men, could also combine the advantages of a model farm on which to demonstrate the best farm methods for the benefits of the state, and a very profitable enterprise. On such a farm, properly managed, the labor of the men, instead of earning about one hundred dollars a year, as in the contract shirt factory, could be made to earn three hundred to five hundred dollars a year, and I would favor giving most of the earnings—the amount to vary according to merit—to the men and their families or dependents.

"This is one of the big, important questions of the day. Most men confined in penitentiaries are not criminals, but victims of environment, and sometimes of circumstances over which they have not entire control. It should be the especial business of the state to give them every opportunity to come back and make good citizens.

"I just want to say a word in regard to the conditions under which the men work in the shirt factory. I was much pleased to find that such conditions are as good as the circumstances permit. The work is done in a room well lighted and aired, and the general conditions are good. I was pleased to find that reports which had come to me that the Superintendent of the shirt factory was employed directly by the Sterling Manufacturing Company, and had control of the discipline of the men, are not true. I want it understood that I am not criticizing the management of the work in the shirt factory. My criticism is of the whole plan and system of contract labor and the contract under which it is being carried on in our Penitentiary. By way of emphasis, I say again that its continuance, in my opinion, is inexcusable from every standpoint.

"The twine plant at the Penitentiary will always furnish employment to such of the inmates as it is thought cannot be trusted

The prisoner's  
earnings for  
the prisoner's  
family.

Public account.

with such work as farm operations. The reports of the Warden and the Board of Charities and Corrections give full information in regard to the operations of the twine plant and I will not go into it further than to say that the conditions under which it is operated and under which the men work are as good as could be looked for.

"I note a particular need for improvement in the dining room. It is so situated in the building that it is utterly impossible to ventilate it well. A new dining room should be provided at once.

#### Night school.

"A night school is being conducted for such of the inmates as care to partake in it, and while I was not there at such time as to see it in operation, I am informed that it is doing well; that there are between forty and fifty regular attendants in four classes, covering practically such studies as are included in the public schools up to the Eighth Grade. This should be encouraged in every way and the parole officer required to give such help and attention as may be needed.

"I have not been able to find that the parole officer has given much attention to his duties as prescribed by law. I do not happen to know which member of the present Board of Charities and Corrections is designated as the parole officer, but, although I have made considerable inquiry into the matter, I have not been able to learn that any of them have given much attention to the assistance and care of paroled or released prisoners. The law makes it the duty of the parole officer to secure, so far as possible, employment and homes for all persons discharged or paroled from the Penitentiary or Training School and to aid them in every way by counsel, help and encouragement. If you find that the law in this regard can be made more specific and plain, and the parole officer's duties more clearly defined, I recommend that you enact legislation to that end. It is my opinion that very much of the parole officer's time could very profitably be devoted to this work, and he should be required to give such time as is necessary.

#### Board of Control to devote full time to work.

"The law also very clearly contemplates that the Board of Charities and Corrections should devote a very considerable portion of their time to the duties of their positions, much more, in my opinion, than they have in the past. I have been interested in the work of this Board, and I feel warranted in saying that they have not given such time to the duties of their positions as would enable them to get in touch with the workings of the various institutions and render the help that should be expected of them and that the law clearly contemplates.

"I will take the liberty to say here, in regard to public employment, generally—not in regard to this Board especially, but as applying to all employees—that it is my understanding that an official should give such time to the duties of his office as may be required to fully perform them. It is no sufficient answer to say that the

compensation is slight and insufficient. These positions of trust and importance are accepted with full knowledge of what the compensation is, and having been accepted, the state is entitled to full service in return. It is no uncommon thing for people to accept positions of trust and responsibility on the apparent theory that their public duties shall not interfere with their private, personal business. This is exactly the reverse of the proper rule. My doctrine is that having accepted public employment, a man should never let his private business interfere with his public duty, and I give notice now that those serving in appointive positions in my administration must give their time and services to the state, and perform the duties of their respective positions fully and efficiently, or quit and make way for those who will. This is not an unreasonable demand and is only what I shall do myself during the term of my official life."

Governor's Message.

#### BENJAMIN W. HOOPER,

GOVERNOR OF TENNESSEE.

"The Legislature of 1907 made an appropriation of \$10,000 for a reformatory for juvenile criminals. With this money a desirable tract of land was purchased at Jordonia, near Nashville. No further steps were taken toward the establishment of the reformatory until the Legislature of 1911 made an appropriation of \$50,000 for buildings and \$10,000 for additional land. The reformatory owns 166 acres of good farming land, bought at reasonable prices. In accordance with the action of the last Legislature, the \$50,000 appropriation has been expended in the construction of buildings. Without going into detail, it may be stated that the Board of Trustees have erected substantial and commodious buildings for white and colored boys, respectively, on the opposite ends of the farm. A visit to this institution will convince Legislators that the State's money has been well spent, and that there are further needs to be supplied by the State.

"The original Act creating a reformatory provided that all boys under the age of eighteen, convicted of felonies, should be sent to the reformatory instead of the penitentiary. Since this law was passed various Juvenile Court laws have been enacted which empower these juvenile courts to commit boys to the State Reformatory. A condition has resulted from this fact which ought to be corrected. The juvenile courts are filling the reformatory with boys that would not be sent there by the criminal and circuit courts of the State. As is well known, the procedure in juvenile courts is somewhat lax and liberal. Boys are picked up and committed by these courts with but little semblance of a legal trial.

"The reformatory was intended to relieve the penitentiary of

**Reformatory.**

the custody of boys under eighteen years of age from all over the State, and not to serve as a convenient place of detention for prisoners from juvenile courts, nor to assume the aspects of a local institution."

\* \* \*

#### Road work.

"Upon the question of working State convicts upon the public roads, there is a diversity of opinion. In settling this question, there are two things to be considered, in the order named; first, the good of the convicts, and, second, the good of the roads. When I was a good roads enthusiast and knew but little about the prison system, the idea of working the convicts on the roads appealed to me strongly. Now, that I am looking at the matter from the standpoint of the convict, which is really the standpoint of the State also, my opinions are not so positive as they were. What I have seen of the working of county prisoners on the public roads has not been calculated to arouse approval of the system. Confining fifteen or twenty men in a cage on wheels, with but little ventilation and sanitation, as has been done in several counties, is brutal. I also doubt whether the working of men in stripes and chains before the public gaze is wholesome either for the men or the public.

"The State system in Georgia is open to both of these objections. They arise from the difficulty of caring properly for prisoners in temporary quarters or animal cages at a distance from the main prison.

#### Honor system.

"In Colorado, State convicts are worked on the public highways on the honor system. This plan has been successful. None but men of good records are permitted to work on the highways, and it is esteemed a great privilege to be assigned to this outside work. It is my understanding that they are worked without stripes, chains or armed guards. The number of men so worked is not large, nor do I understand that they are scattered over the State.

"In formulating a bill for the working of convicts on the public highways, several things must be kept in mind, a few of which I shall mention.

"It will not be best to work long-term men on the roads, on account of the danger of escape. Men who are learning a trade in the prison and therefore prefer to remain there, should be permitted to do so.

"It must be remembered that the State owns valuable coal mines and expensive machinery and equipment, which at present require from seven to eight hundred convicts. Putting convicts on the roads is closely connected with the question of what disposition shall be made of the State's mining property."

"The State also has outstanding contracts with the owners of the shops and factories inside the main prison, which obligate the State to furnish a certain number of convicts. Consequently, no Highway Department could be authorized under present laws and conditions to make unlimited demands for convict labor.

"It may be stated, however, that the prisons just now contain a surplus of convicts beyond the number called for in the lessees' contracts, but most of them are deadheads or undesirables.

"It would also be well for the Legislature to investigate the question of whether or not the working of the State convicts on the public roads has been a financial success where it has been practiced, for example, Georgia.

"In connection with all these matters, another proposed measure should be considered, namely, a law providing for raising the minimum penitentiary sentence, so that the counties would retain a greater number of short-term convicts, for instance, up to the term of three years.

"A general bill should be passed authorizing counties to issue road bonds within proper limitations and restrictions, in order that the people may have more freedom of action in building good roads and to the end that the time of the Legislature may not be consumed in the passage of local bills on this subject.

"One year and a half ago, when the present administration assumed charge of the State prison system, it was my earnest desire to increase the use of reformatory methods for the betterment of the prisoners and the benefit of the State. The prison officials appointed by me have worked loyally to this end. We have been trying to impress both the prisoners and the people that the question as to when he is discharged is not so important as the question as to what kind of man he is when discharged. In accordance with previous pledges, executive clemency has been extended with a greater degree of care and with more respect for the judgment of the courts. Clemency has not been knowingly denied to the deserving, and all petitions have been considered.

"The law requiring a school to be taught in the prison has been brought to life by Chaplain Regen, and several hundred men have been in this school within the last year. They have seized this opportunity eagerly and have acquired the rudiments of an education with astonishing rapidity. The school is taught at night.

"The law requiring a library for the prisoners has been carried into effect, and they now have a library of 5,000 volumes, gathered by private donation. We are greatly indebted to Mrs. J. S. Beasley and Hon. John C. Brown, Jr., in this connection.

"Corporal punishment has been diminished to but little more than one-half what it had previously been.

"The stripes have been removed from upper-grade convicts.

"The savings of the prisoners now constitute a larger fund than ever before.

#### Investigation of road work.

#### Reformation not punishment.

#### Prison school.

#### Prison library.

#### Reforms instituted.

**Efficiency in  
business man-  
agement.**

"Amusements of various kinds are being provided for them, within sensible and practical bounds.

"In a multitude of minor ways the comfort and contentment of the prisoners have been enhanced, and all these things have produced a notable effect in the improvement of discipline.

"The financial administration of the prisons has been successful. Strict economy has been practiced and business methods required of employees. The present management has been in control only seventeen months, and has been operating at the main prison under contracts inherited from a former Board, and during this period has left a balance in the treasury of \$286,471.64. The net profits of their first year were just double the preceding year.

"The numerous details by which this improved financial showing has been made cannot be set out here. The report of the Prison Commissioners show many of them. Both great and small matters have been made to count. The operation of the coal mines, which is the biggest business of the prison, has shown greatly increased profits, although every ton of the coal has been brought from a greater depth and distance, at increased cost.

"Some of the small economics best illustrate the methods by which the grand total of improvement has been achieved. For example, compare the results of the guard's dining room:

	Profit.	Loss.
1909.....	\$169.29	
1910.....		\$228.64
1911.....	850.84	
1912.....	1,437.58	

"During the preceding administration the gate receipts at the main prison averaged \$122 per month. Under the present management, with a system of keeping check on the gate receipts, the monthly average has been \$204.30.

"The Herbert Domain formerly had a caretaker who received a salary of \$1,000 per annum and the proceeds of the place. Now this \$1,000 per annum is turned into the treasury.

"On April 1, 1912, Commissioner James May took charge of the main prison farm, with no land turned and no preparations made for the crop of that year. Yet with these disadvantages, it has been demonstrated that this farm has never been really cultivated before.

The following are the net earnings in recent years:

<b>Advantages of farm work.</b>	1909.....	\$2,210.94
	1910.....	1,661.10
	1911.....	4,466.29
	1912.....	10,243.22

"During this last year over 100 acres have been cultivated in garden, aside from the general farming. It occurs to me that Commissioner May is demonstrating that the proper handling of this big prison farm will help to solve the question of prison competition with free labor, as well as the problem of tuberculosis among the prisoners. It may be found that wisdom dictates that the State should own additional farming lands.

"The prevalence of tuberculosis in the State prison is no new discovery. Attention has been called to this matter for several years, but the necessity of action has, perhaps, been more emphasized during the last two years. It is a crime against the sound and able-bodied prisoner to incarcerate him where he will be infected with tuberculosis. This is a punishment not contemplated by law. It is also unjust to the people of the State to make the prison a hotbed of tuberculosis to infect every section of the State as the inmates are released. The custom of pardoning prisoners because they have tuberculosis is not based upon sound reasoning. Nine times out of ten the tubercular prisoner cannot receive proper care at home and his release may mean the infection of his family and maybe a neighborhood. The present prison management has had under advisement for more than a year the erection of a tuberculosis hospital. The Attorney General rendered an opinion to the effect that the Prison Commissioners could not build this hospital without legislative authority and appropriation.

"The proper place to erect such a hospital is on the high hills just south of the walls of the main prison. This would necessitate the extension of the walls. The walls need to be extended anyway, for the unoccupied space now enclosed is entirely too small. A tuberculosis hospital for the prisoners need not be expensive. The extension of the walls would cost a considerable sum.

"To establish the hospital on property distantly separated from the prison would add the expense of another force of prison officials—virtually a third prison. When the large percentage of prisoners in the main prison suffering from tuberculosis is mentioned it must be remembered that the greater part of them are sent here from the Brushy Mountain mines.

"I make the following recommendations to the General Assembly relative to prison legislation:

1st. A bill authorizing the Board of Prison Commissioners to erect a modern prison hospital for tubercular patients, extend the walls of the main prison, and appropriate sufficient funds therefor.

2nd. Authorizing the Prison Commissioners to sell and dispose of all timber on the State's property at Petros, Herbert Domain and the State farm, which they consider likely to decay and deteriorate in value.

\* \* \*

"The creation of an auditing department will enable the State to keep tab on its officials and institutions fiscally. This will leave the

**Tuberculosis  
hospital.**

**Reorganization  
of Board of  
Control.**

work of investigating the general management and condition of our penal and charitable institutions to some other authority. An appropriate method for the accomplishment of this work is already provided by law. The Legislature of 1895 created the Board of State Charities and clothed said Board with powers that would be very useful to the State if exercised. Said Board is empowered to make searching investigations of all penal and charitable institutions, State and county, but the Act creating it was effectually emasculated by a provision that the members of the Board shall receive neither mileage nor per diem. It has naturally followed that this Board has been more ornamental than useful, as a rule. Some very high-class men have served on it, but not many of them have possessed the wealth and leisure to admit of the performance of such arduous duties without compensation and with great expense to themselves. The Legislature of 1909 made a small appropriation for the expenses of said Board, which was wisely used, as their printed report showed.

"The Legislature of 1911 failed to make any appropriation, but, notwithstanding that fact, the Board has performed several important services to the public within the last two years. For example, they made a thorough investigation of the Davidson County workhouse and the system of working convicts on the public roads. The investigation was careful, laborious and somewhat expensive, but facts were brought out worthy of the attention of the public. Hon. J. H. Turner, Rabbi Isidore Lewinthal and Mr. Whiteford R. Cole, constituted the sub-committee from the Board, which at the request of the Governor, investigated said workhouse and especially the killing of *John Clark*, a Negro inmate.

"The committee reported that "very poor and wholly inadequate provisions are made for the prisoners in the camps. This is true as to sanitation, sleeping quarters, and in a large measure, as to food."

"The committee also reported that said Negro was cruelly and unmercifully beaten by a guard, under circumstances most inexcusable and revolting, and that the injuries so received resulted in the death of said Negro.

"Notwithstanding these facts, a Davidson County grand jury whitewashed this transaction and failed to find a true bill.

"As directed by Section 2675 of Shannon's Code, I herewith submit to the General Assembly said report of the investigation of said Davidson County workhouse and the testimony accompanying it, for such consideration and action as may to you seem proper.

"I recommend that Chapter 193, Acts 1895, creating the Board of State Charities, be amended in such particular as may increase its strength and usefulness, and that a sufficient appropriation be made to take care of its expenses and the salary of its executive officer.

"Its activities will prevent many an abuse and scandal in the penal and charitable institutions of the State and will protect many an unfortunate from the injustice of ignorant and brutal men who will occasionally

worm their way into public office. Its work will serve to obviate even the semblance of an excuse for legislative junketing committees."

**O. B. COLQUITT,**  
GOVERNOR OF TEXAS.

**Reformatory  
for first of-  
fenders.**

"The State Institution for the Training of Juveniles" is a misnomer. The buildings at this institution from its beginning have been cheaply constructed, are inadequate and veritable fire traps. The building erected there during the course of the year 1912 is small but fireproof. The compensations heretofore provided for teachers and industrial instructors have been so small that the positions were not attractive to persons best suited for them. The State has a valuable property and by proper amendment of the law it can be made a reformatory for young persons convicted of crime, and of very great benefit to them. But as now provided for by law it is a miniature penitentiary under the name of a "Training School." The policy of sending young men there, all of varying ages from 16 to 21 years, and street urchins from 6 years old up to 12 and mixing them together, is a policy I cannot give approval. The district judges often are imposed upon and young men have been sent there who claimed to be 10 on the trial of their cases, but who would register their ages as much older than that when they were admitted into the institution. I recommend that the Legislature appoint a special committee to give attention to the revision of the law governing his institution. In my opinion, a Reformatory should be made of it, and boys from the age of 12 to 16 only sent there. Separate provision should be made for juveniles under 12 years of age. The moral laws make a vast distinction between boys over 12 years old and those under that age. It is conceded that a boy has not reached the age of accountability until he is 12, and the policy of sending those under that age to an institution where the older and more hardened class are detained is an erroneous one. There should be provision for separating the white and colored prisoners and grading them, as is done in the penitentiary. Out of a prison population of over 325, about 85 per cent. of them are from the fourteen counties of Dallas, Tarrant, Lancaster, Grayson, McLennan, Hunt, El Paso, Jefferson, Harris, Galveston, Williamson, Travis, Bexar and Taylor. On a recent visit to the institution, I found that out of 100 juveniles to whom I talked 85 of them were from five counties—Dallas, Tarrant, Grayson, El Paso and McLennan. I believe the law should require each county of 50,000 population or over to provide for a juvenile training school, and make of it an institution which the name signifies, and not a miniature penitentiary. Juvenile derelicts under 12 years of age should be detained in county juvenile training schools, and suitable employment be provided when they are not under instruction. This seems to me the most practical way to handle this problem. I urgently

protest against the present policy of sending children who have not reached the age of accountability to the same institution provided for the detention of young criminals who have passed the age of accountability."

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"I have been unable to get data from the Penitentiary Commission necessary for me to state briefly and accurately the status of its business operations and financial affairs. The books are now being audited, and as soon as I can get hold of the information I want concerning its indebtedness, and the cost of carrying out the new law by way of increased compensation to guards, cost of transportation of prisoners, per diem, increase of expense required in discharging a prisoner when his term is up, and the new offices created by the new law that went into effect in January, 1911, I will send a special message to the Legislature giving all this information in detail, as well as the cost of permanent improvements made to comply with the new law. I am under the necessity of estimating these figures, but the extra cost of management on account of these increased expenses, as imposed by the new law, is not far from \$300,000; the cost of permanent improvements is about \$650,000 in addition, or a total of a million dollars. These extra expenses and the cost of improvements just about represent the present indebtedness of the system. There was a loss by fire at Rusk in the burning of the furniture factory of about \$40,000; the fire at Huntsville cost the system \$285,000 or more. But all of these matters will be fully put before the Legislature as soon as the data can be secured.

**Reforms inaugurated.**

"Great progress has been made in the prison reforms demanded by the awakened conscience of the people of Texas. The use of the bat has been totally dispensed with; the stripes have been abolished, except where the law requires them to be used on incorrigible prisoners. The management of the prison system can not be justly criticised for failure to carry out the reforms promised. The Prison Commissioners have not given enough attention to the business management, and some of the indebtedness could have been avoided. But the system has been almost rebuilt, and the debts of the prison system, in the main, are represented by the requirements of the law for improvements, which were needed, and increased cost in the fixed charges made by the Legislature. The prisoners have been classified, better fed, better clothed and better treated than ever before.

"The people adopted an amendment to the Constitution at the November election making prison commissioner a constitutional office. I was one of the original advocates of a prison commission, but am not satisfied that the commission form of government for our prisons will prove an ultimate success. It is true the commission has, in a wonderfully successful degree, brought about the reforms of prison management so much desired by the enlightened public sentiment of the State. They are entitled to the gratitude of the people for having done so. But

their financial management has not been so successful and I am not convinced that it can be as successful as if the system was controlled by a single head. Oneness of purpose and action is necessary to the successful management of the prison system or of any other department of the State government. The indebtedness of the penitentiary is due to, and necessary in order to carry out the mandates of the new law. I think this will be found to be true by those who are disposed to try to make a noise about the debts, which are approximately one million dollars and more, if the bonded debt on account of the State Penitentiary Railroad is taken into account. For eighteen months I have tried to get the commissioners to retrench in expenses and expenditures, but they have had to practically rebuild the system; they found it dilapidated; the stock worn out and the farms had to be restocked on credit; new camps had to be built and new machinery purchased. Perhaps the mistake the commissioners made, if they have made any, was in trying to rebuild the system in two years. I told them they should not undertake to do this in less than four years. But if a business-like and patriotic view is taken of the matter, and co-operation of the Legislature extended, the investments in permanent improvements made, and which represent the debt in large part, will not prove a mistake.

"But I see and hear it stated there is a disposition on the part of political enemies of the administration to have an investigation of the indebtedness by the Legislature. It is sagely suggested that this investigation be non-partisan. If one is needed, I invite it—urge it. The investigation will fully show the causes leading up to the necessity for creating the debts. An investigation will show that the system needs twice as much as has been expended for development and improvement. It will show more; that we have been beset by political enemies who have caused trouble and worry just for political purposes through those whom the Prison Commission were compelled to put up with on account of the terms of the law, or because of their confidence in men whom they retained in the service, but who were under the influence of others beside the managers. An investigation will show the political turmoil this administration has had to endure in making up the delinquencies of the preceding one, and in its humane efforts to abolish the brutalities and barbarities bequeathed to it. At the time the prison system was turned over to the present Board of Commissioners, there was less than enough money on hand than was needed to pay one month's expenses. The new law entailed an increased expense in management of approximately \$150,000 per annum, and called for betterments and improvements which required that much more for each of the two years. Indeed, if the separate cell provision of the law had been complied with, it would have cost two or three million more than has been expended. We are compelled to depend upon the crops for income to meet expenses—cotton and cane being our chief reliance. Last year the cotton crop was short but a good cane crop was made, but nearly half of it was lost by the

**Abolition of lease system.**

**Elimination of politics from penal institutions.**

freeze. This year a good cotton crop was made but the cane crop was very short, almost a failure. The lease system has been abolished and there has been no revenue from convicts hired out. The prison population has increased 403, and this entails an increased expense for maintenance; the increased cost of the guards alone, to say nothing about clothing and feed for that number of men, is about \$19,000 per year. It will be remembered, perhaps, that in the canvass for Governor in 1910, when penitentiary reform was an issue, I advocated separating the penitentiary management from the Governor's office entirely, and taking the system out of politics altogether. I reviewed this suggestion to the Thirty-second Legislature, and asked that body to amend the law, but it is seriously doubted if a majority of the members of that body ever listened to or read any of my recommendations.

**County and city convicts.**

"While we have made very gratifying reforms in the management and treatment of the State convicts, nothing has been done to regulate the handling of county and city convicts. These are still being maltreated and beaten with beastly straps in some counties. One of the most humiliating practices is that of putting the "ball and chain" on the legs of city and county convicts. I have seen city prisoners right here in the "queenly capital city" working on the streets manacled and chained in this fashion, with the sleepy guards snoozing in the shade of a building at noon-tide. The State prison life is decidedly more humane and decent than the city convicts enjoy. A look at the sanitary cleanliness and arrangement of the quarters in our State prisons, and a glance at the uncleanness of the county jails over Texas, is all that is needed to convince a legislator of the need of legislation concerning county and city convicts.

"The platform calls for the passage of a law making it a felony to incite a mutiny amongst convicts. It is believed that last summer, during the heat of a political campaign, certain persons tried to incite, or induce others to incite negro convicts to rebel and mutiny for the purpose of demonstrating that the penitentiary couldn't be managed without the use of the bat. I cannot think of any thing smaller or more unworthy of anyone than this. There should be a law promptly passed covering this platform demand. The man on the outside, or in control of prisoners, who will encourage or incite a mutiny, should be compelled to take his place with the convicts as one of them."

Governor's Message, pp. 12-13, 19-22.

**WILLIAM SPRY,  
GOVERNOR OF UTAH.**

**Road work.**

"Complete information regarding the management of the State Prison during the past two years may be found in the report of the State Board of Corrections.

"The employment of convicts on State roads has been carried on without interference with discipline or routine at the prison, and it is the opinion of prison officials that the general moral and physical condition of the convicts has been greatly improved through work on the highways.

"During the past two years many improvements have been made about the prison reservation, including the construction and equipment of a modern dairy barn and the planting of fruit trees—the labor incident to the improvements being performed almost wholly by the prisoners. The Board of Corrections has acquired additional water for the institution but a supply sufficient to take care of the entire acreage is not yet owned by the State. In view of the fact that additional water will permit of more extended cultivation of the prison farm, affording employment for inmates and an increased farm production for prison use, I strongly urge an appropriation for the purchase of water.

"That the death penalty be administered by electrocution is a recommendation of the Board of Corrections in which I concur, and I urge upon you the adoption of an amendment to the present law to accomplish capital punishment by electrocution.

"The daily per capita maintenance cost of prisoners during the years 1911-1912 was fifty-five and one-half cents.

"Estimated needs for the years 1913-1914 are:

	<b>Per capita cost of prisoners.</b>
Maintenance . . . . .	\$121.545.00
Gratuities . . . . .	4,500.00
Armory improvements and repairs . . . . .	5,000.00
Ice plant . . . . .	1,500.00
Women's ward . . . . .	12,000.00
Milk house . . . . .	1,500.00
Fruit trees . . . . .	500.00
Extending water pipe line . . . . .	15,000.00
Convict labor on State roads (included in estimate of road commission) . . . . .	40,000.00
Additional water supply . . . . .	16,000.00
Total . . . . .	\$217,545.00

"I invite your special attention to that portion of the report dealing with the employment of convict labor on the public roads. The experiment has been so successful as to thoroughly warrant the request for an increased appropriation sufficient to work additional prisoners who can readily be placed in the field. From the report you will observe that during the years 1911 and 1912, 501 miles of State road were constructed at a cost of \$570,000.

Farm colonies  
to supersede  
alms-houses.

"I earnestly commend the recommendations of the commission to your favorable consideration. These recommendations embrace:

\* \* \* \*

"The appropriation of \$40,000 for convict labor on State roads."

Governor's Message, pp.....

**WILLIAM HODGES MANN,**  
GOVERNOR OF VIRGINIA.\*

The investigations made by the State Board of Charities and Corrections and the conditions disclosed thereby render certain remedial legislation imperative.

The condition of our alms-houses, disclosed in a former report of the State Board of Charities and Corrections, demands State action. Conditions must be improved, or the State will earn an unenviable record for neglect. In my judgment, provision should be made for the abolition of county alms-houses, and the establishment of one such house on suitable farms in each of the ten Congressional Districts of the State, to be erected and maintained by the several counties and cities in proportion to the number of persons supported in said alms-houses from said counties and cities. This change would result in saving the costs of nearly ninety alms-houses, a large part of the cost of maintenance, and in giving better accommodations and attention to the occupants. Last year, 1,440 persons were maintained in ninety-three small county alms-houses at a cost of \$92,975.60, while in one large city 1,737 persons were supported at a cost of \$29,490.59. I recommend the enactment of suitable legislation which should contain a provision prohibiting counties and cities from caring for their poor except at the District Alms-house.

Road work for  
family deser-  
ters.

The proper treatment of chronic inebriates and of men who fail to support their families presents a problem which also requires action. Hundreds of these men litter our jails and feed at the expense of the Commonwealth, without work, while their families are in actual need. Law should be enacted authorizing the parole of such men after arrest and conviction as long as they will support their families, and providing that they be employed on the public roads if they violate their parole and decline to support their families.

"These are all advanced measures of reform, but they are aimed to meet existing conditions and to correct present evils. Virginia must do her part in the great work of correction and in the still greater work of prevention. The State Board of Charities and Corrections should be given sufficient funds with which to press its work in these directions."

Special Message, January 10th, pp. 7-9.

\*1912.

**Cost of road  
work.**

"We have now at work on the roads fifteen camps, two under the old law, in which about five hundred and ninety-three convicts are employed, at an expense of about 50 67-100 cents for each convict working ten hours a day, and 34 34-100 cents for each calendar day. The expenses of two of these camps were paid in part by the counties in which they worked. In addition to these five hundred and ninety-three convicts working on the public roads, in fifteen counties there are two hundred and forty from jails, making the total number at work, eight hundred and thirty-three. It has been demonstrated that the convicts, after a little experience, are good and efficient laborers, and I think can be made more so by a plan which will be hereafter outlined. Indeed, I am informed by our State Highway Commissioner that on Macadam roads the difference in favor of convict labor is fifteen hundred dollars per mile over free labor, thus reducing the cost of roads of that character from \$4,900 per mile to \$3,400. While on sand-clay or gravel roads the cost is about the same because on roads of the latter class the convicts have to be separated and more guards are required, and this is the exact point my plan is intended to meet.

"The contract made some years ago by the State with the Davis Shoe Company, by which the convicts were hired to work in the company's shoe factory in the penitentiary, will expire on the first of May, 1913. The Board of Directors of the penitentiary has advertised for bids for the hiring of the convicts after May 1, 1913, which, when received, will be submitted to this General Assembly for acceptance or rejection, and thus the future policy of the State will, of necessity, have to be considered and determined. I have gathered much information upon the subject, a part of which will be found in a pamphlet gotten up by Mr. Rives B. Hardy, my assistant secretary, which will be laid on the desks of the members, and which shows what other States are doing with their convicts, and the information not contained in the pamphlet will be set out in this message.

"There are in the penitentiary about twelve hundred and forty-two convicts, of whom about twelve hundred are able-bodied; at the State Farm there are about two hundred and seventy-five, of whom only about seventy-five are able-bodied, as the Farm is used to recuperate and build up those who are not in good health; and, as already stated, there are about five hundred and ninety-three in road camps, all of whom may be said to be well and strong. Of these, seventeen are in Bedford and sixteen in Chesterfield, working under a law which was in force prior to the passage of the Lessiter-Withers Bill. And there are in the penitentiary ninety-six women, who, with about five hundred long-term men and convicts more or less desperate, cannot with proper regard for the communities into which they must go, be worked on the public roads.

**Honor system.**

"The salaries and board of guards under our present system constitute a large part of the expense of working the convicts, and realizing this and the benefit, moral and physical, to the convicts, two States, Colorado and Oregon, have adopted plans of working convicts on the public roads without guards. I am more familiar with the plan adopted in Colorado, and will briefly outline it.

**Extra gain time for road work.**

"A convict in the penitentiary of that State is allowed for good behavior one month for the first year, two for the second and so on up to the Sixth year, in which he is allowed six months, and stands at that for the remainder of his term. When he is on public works, in addition to the above, he is allowed ten days in every month, for good behavior and efficient work, and Governor Shafroth informed me that all the convicts on account of this extra allowances were anxious to work on the road and that they did faithful and efficient work. Before leaving the penitentiary, all who are willing to do so take an oath and promise on their honor not to escape or attempt to escape; they are not shackled in any way and the men who direct the work are not armed; indeed, the only man armed in camp is a trusty, who has a rifle which seems to be used to keep people on the outside from coming in, rather than for the prevention of those inside from going out. The Governor informed me that the cost of working a convict under these conditions was about twenty-five cents a day, and that the percentage of escapes was less than under the old system. I am not sure that the convicts in our penitentiary could be worked in this way with the good results obtained in Colorado, but inasmuch as we could under the Colorado plan, after the first year, work fifteen hundred convicts on our public roads for about one hundred and thirty-five thousand dollars. I think the plan worthy of trial. Of course, for the first year the equipment of every camp of fifty convicts would cost about twenty-five hundred dollars, but as the State already has equipments for fifteen, only fifteen more would have to be provided, at an expense of about thirty-seven thousand, five hundred dollars.

"In view of these facts, I earnestly recommend that the authorities now controlling the camps be vested with discretion, after experimenting with one or more camps without guards and finding conditions satisfactory, to adopt the Colorado plan and put under it all the convicts working on the public roads. In addition to the inducements offered by this plan, the punishment for escape or attempt to escape might be increased. It is needless for me to say, after what I have written, that I am heartily in favor of working as many of our convicts as possible on the public roads, leaving the locations of the camps to the State Highway Commissioner and the Superintendent of the penitentiary, who should so arrange that prisoners from county and city jails might readily and conveniently be added to the nearest camp, thus increasing the number of workers without

in any way adding to fixed charges. I am sure that in addition to the benefit derived from their labor, crime and the number of jail prisoners would be greatly reduced and a corresponding reduction of criminal expenses would result.

"As before stated, some five hundred convicts could not be used on the road force, and of these some will be needed for the limestone plants if your body shall decide to manufacture ground limestone for the advancement of our agricultural interests. Some forty would be required to make clothes for the convicts, and in this the women could be utilized; some for work on the State Farm and the remainder might be hired for work in the penitentiary upon such terms and subject to such limitations and conditions as may be agreed upon. Or the convicts may be employed as in other States for the manufacture, under State control, of shoes and clothing for our State hospitals, desks for our public schools and many other articles not necessary to be mentioned here. If this plan is adopted we will have the revenue derived from these convicts, a gain of about twelve thousand dollars on account of the small number of guards required at the penitentiary, and a loss of about \$125,000 now received under contract with the Davis Shoe Company. Under these conditions it will be necessary, certainly for the first year, to divert most, if not all, the State aid fund to the convict road force fund, as the treasury will not be in condition to stand the additional charge made necessary by such a radical change in the policy of the State."

**State use.**

Special Message, January 12th, pp. 6-8.

**ERNEST LISTER,**

Governor of Washington.

"Under existing laws the State Board of Control has charge of the Western Washington Hospital for the Insane, located at Fort Steilacoom, the Eastern Washington Hospital for the Insane, located at Medical Lake, the Northern Hospital for the Insane, located at Sedro-Woolley, the Institution for Feeble-Minded, located at Medical Lake, the State Soldiers' Home, located at Orting, the Washington Veterans' Home, located at Port Orchard, the State School for the Deaf, located at Vancouver, the State School for the Blind also located at Vancouver, the State Penitentiary, located at Walla Walla, and the State Training School, located at Chehalis."

\* \* \*

"The Board also has a limited authority in connection with the State Reformatory and in its report recommends that this institution

Segregated appropriations for maintenance and improvement.

**Industrial education.**

be placed under a single management. In my opinion this would be advisable.

"The Board further recommends that the appropriations for each institution under its control be made in consolidated form. I quote from their report as follows:

"The wisdom of consolidated appropriations is apparent and they should be made for all institutions. The saving in auditing and accounting labor is obvious, and the clearer classification of expenditures is a convincing argument in favor of the plan.

"Under the old system of segregating appropriations there were separate funds for different items of maintenance, and the result was sometimes, for instance, that the funds available for subsistence ran perilously low while other funds showed a good balance."

"I have carefully weighed the advantages that might be derived from the adoption of this recommendation and am inclined to the view that the legislature ought to segregate the appropriations, possibly not to the degree followed by some previous legislatures, but to the extent of placing maintenance, new buildings, general repairs and improvements, and any appropriations that may be requested for some special purpose, each in separate items.

"The Board of Control has been in existence for a number of years. It ought to be possible to indicate to the legislature very clearly the daily cost per person for maintenance and to make a reasonably close estimate of the probable increase in numbers during the term for which the appropriation is required, so that this can be called for as one item of the appropriation bill. In requesting appropriations for new buildings or for other special purposes, it is the duty of the board to become thoroughly informed as to the probable cost, so that an intelligent statement of the requirements along these lines can be furnished to the legislature when a request is made for such information.

"On September 30th, last, there were confined in the State Training School at Chehalis two hundred and thirty-one boys and sixty-two girls. The records of the institution also show that on the same date there were one hundred and ninety-two boys and sixty-six girls out on parole. It would appear to me to be advisable to create a new institution to care for the girls now at the State Training School and for those who may be hereafter committed. I believe in the absolute separation of the sexes in an institution of this kind and recommend that this matter be given your careful consideration during the present session.

"Abundant employment can be found for the inmates of this institution by still further equipping the different departments so that clothing, shoes, slippers and other articles of wearing apparel, required for the patients at the hospitals for the insane, can be manufactured. I understand at the present time some of the clothing for

the hospitals is manufactured at the State Penitentiary and also at the State Reformatory. With the numbers constantly increasing in the State Training School, would it not be advisable to make a specialty of industrial work for use at the other institutions, and employ the labor of the prisoners at the State Penitentiary and State Reformatory in other lines?

"At the State Reformatory the work of clearing and developing the land owned by the institution ought to be carried forward as rapidly as possible, and I know of no reason why a number of prisoners at this institution should not be used on state highway work.

"The number of prisoners at the State Penitentiary on January 1st was eight hundred and seventy-one. The number on parole was thirty-four and at the rock quarries fifty-two, making the total under commitment to the institution, nine hundred and fifty-seven on that date.

"The capacity of the jute mill, the product of which is principally grain bags, was recently doubled and requires approximately five hundred and fifty men in its operation. The mill can manufacture only a small part of the grain bags required each year in the state, even if operated to its full capacity.

"It was originally installed on account of the beneficial effect it might have in assisting to hold down and act as a regulator in the price of grain bags sold to the farmers of the state. The original law provided for the sale of its product at actual cost. The Twelfth Legislature amended the law so that under its provisions the board now has full power to fix prices and can make a profit if it desires so to do. The report of the State Penitentiary covering the two years ending September 30, 1912, shows that the manufactured product of the jute mill amounted to \$272,871.00 and was sold at a profit of \$108,316.00. This is approximately 40% profit figured on an output basis, and as a result of this change in the system regarding the sale of grain bags, there has been a great deal of criticism on the part of the farmers. A feeling exists that the dealers in imported grain bags, from whom most of the bags must be purchased, have charged a higher price as a result of the price of the state product having been increased.

"I quote from the second message of Governor Albert E. Mead to show that in recommending the installation of additional machinery in the jute mill, his recommendation was based on the fact that it would further tend to regulate the price of grain bags and like products to the farmers of Washington and not for the purpose of developing a department the output of which would yield a profit of approximately 40% to the state.

"I recommend the installation of additional machinery in the factory operated by convict labor at the state penitentiary for the

**Development of public account system.**

**Separate training schools for boys and girls.**

**State use.**

manufacture of jute fabrics, so that the increased product may tend to regulate its price to Washington farmers.

"I am of the opinion that the prices fixed on the product of the jute mill ought to be at cost or a small percentage above cost, especially as the products are sold to our own citizens. There is no other line of product manufactured either in the State Penitentiary or any other institution that is sold at a profit.

"Since making this investigation it has appeared to me, in view of the possibility of grain being handled in bulk in the near future, and also the fact that some other kind of grain bag may come into general use, in the manufacture of which the machinery of the penitentiary could not be used, that the state's interests would have been better protected had the mill been continued at its original capacity. The cost of the building required for the additional machinery and the machinery purchased, amounts to a large sum and should the use of grain bags be discontinued the state will have on its hands a large quantity of machinery suitable for no other purpose. As a protection to the farmers practically the same result would have been arrived at with the mill of smaller capacity.

#### Road work.

"In the consideration of penitentiary matters I hope it may be possible for the legislature to devise some means whereby the labor of a number of the convicts can be used in the construction of state highways. By the use of convict labor for this purpose the people of the entire state would be benefited. Some work along this line has already been done. Without doubt full information regarding the results obtained and its possibilities for future highway construction can be obtained from the State Highway Commissioner.

"The State Reformatory, located at Monroe, Snohomish County, is now in charge of a Board of Managers, the State Board of Control having some authority covering the business management of the institution.

#### Extension of powers of Board of Control.

"As a rule a divided responsibility does not bring about the best results. I would recommend the abolition of the Board of Managers of this institution and the placing of the institution under the direct charge of the State Board of Control. One of the members of your honorable body is a member of the Board of Managers of this institution. There are other instances where members of the legislature are members of non-salaried commissions. Personally I am opposed to the principle of any member of the legislature being appointed to or occupying a position on any board or commission of the state during the time he is a member of the legislature. There cannot but be occasions when the duties of the two will conflict. Some gentlemen for whom I have the highest personal regard and whom I count among my friends, are now members of the legislature and also occupy positions as members of boards under appointment by the chief executive of the state. I mention this so that the legis-

lature may clearly understand I have no personal feeling whatever in taking this position, but believe it to be along the line of more fully protecting the interests of the people of the state."

Governor's Message, pp. 12, 14-16.

#### WILLIAM E. GLASSCOCK,

GOVERNOR OF WEST VIRGINIA.

#### Reorganization of Board of Control.

"The legislature of 1909 created the State Board of Control with full power to manage, direct, control and govern the West Virginia Hospital for the Insane at Weston, Second Hospital for the Insane at Spencer, West Virginia Asylum at Huntington, Miners Hospital No. 1 at Welch, Miners Hospital No. 2 at McKendree, Miners Hospital No. 3 at Fairmont, West Virginia Penitentiary at Moundsville, West Virginia Reform School at Pruntytown, West Virginia Industrial Home for Girls at Salem, West Virginia Schools for Deaf and Blind at Romney, and the control of the financial and business affairs of our educational institutions \* \* \* and the legislature of 1911 gave to this board full power to manage, direct, control and govern the State Tuberculosis Sanitarium at Terra Alta and the West Virginia Colored Orphans Home at Huntington.

"It will thus be seen that this board has under its control and management our penal and charitable institutions and the financial and business affairs of our educational institutions, and is, therefore, the most important board ever created in this State and performs duties that effect directly and indirectly our entire citizenship. I feel that the State is to be congratulated upon the ability, character and general qualifications of the men composing this board and take pleasure in saying that they have performed their duties in a manner most satisfactory to all concerned. Indeed their work has been of such a high character as to attract the attention of those engaged in similar work in adjoining states. The Ohio State Board of Administration, under date of December 6, 1911, and after having twice visited our State Board of Control, and also visited some of our State institutions, wrote to President James S. Lakin as follows:

"We beg to advise that after a very careful consideration by the Board of Administration, your system of purchasing supplies has been adopted."

"This is a great compliment to the efficiency of our board and the character of work they have been doing. It is my information that the Ohio Board of Administration had first visited other states and adopted their system of purchasing supplies and after several months' trial, finding the system unsatisfactory, abandoned it and adopted the one that had been instituted by our own board.

"The watchwords of this board have been "Efficiency and Economy," and along these lines they have been eminently success-

#### Efficiency in management.

**Per capita  
cost per in-  
mate.**

ful, as is evidenced by the following facts and figures: During the last two years this board returned to the State treasury \$308,553.68 of moneys that had been appropriated and collected for the use of the institutions under their control and management; and during the biennial period ending September 30, 1910, there was returned to the State treasury an unexpected balance of \$304,636.08, making a grand total returned to the State treasury of \$613,489.76, and in addition to this sum there was to the credit of the board on the 30th day of September, 1912, \$189,660.19 of moneys that had been collected and appropriated and not expended.

"This Board audits all expenditures before they are made. Under the old system of expending money through boards which met only a few days during each year it was impossible to make such audit before expenditures were made. It is very evident that this board has saved to the State not only thousands of dollars but hundred of thousands of dollars and at the same time has materially increased the efficiency in the management of our State institutions.

"I invite your special attention to the following tables showing the per capita cost of our penal, charitable and educational institutions. Under the old system it would have been impossible to have furnished you with this condensed information which clearly and concisely shows how the public funds are being expended.

"Schedule showing the average number of inmates, average number of officers and other employees and per capital cost for the several penal and charitable institutions, the management of which is under the State Board of Control, for the fiscal years 1911 and 1912. The per capita cost includes all expenditures except for new buildings and repairs, and is based on average number of inmates.

	Year 1911			Year 1912		
	Average Number Employees	Average Number Inmates	Per Capita Cost Per Inmate	Average Number Employees	Average Number Inmates	Per Capita Cost Per Inmate
West Virginia Penitentiary.....	59	1,146	118.05	60	1,153	122.68
West Virginia Reform School .....	29	284	152.91	35	283	159.46
West Virginia Industrial Home for Girls .....	11	75	166.86	11	75	166.84

"I would not have you think that the welfare of the inmates of our penal and charitable institutions, or the student body of our educational institutions, has been sacrificed in the interest of economy. On the contrary I believe, as heretofore stated, that all of these institutions are better managed and better results are being obtained than heretofore and I take pleasure in quoting from a

speech delivered by Hon. Eugene W. Chafin, late candidate for President of the United States on the Prohibition ticket, delivered in Arizona on November 18th of last year. I quote from the Arizona Daily Star of November 19, 1912:

"In West Virginia, where they have the best prison system in the world and where they have obtained the best results, they have the reform idea worked out.

"That Prison is self-sustaining. It has a good school. The men learn to read and write and go into other branches of learning. The State not only makes money from the prison but it divides the proceeds with the prisoners and when prisoners are sent out from that penitentiary they do not come back."

"And then the speaker proceeds to condemn the prison methods of other states. This is a testimonial in favor of the administration of West Virginia penitentiary of which every citizen of the State ought to be proud, and I have no hesitation in saying that the management of our asylums, our boys' reform school, our girls' industrial home, our miners' hospitals and our deaf and blind schools has been equally efficient and produced equally good results. I wish it were possible for every member of the legislature to visit each State institution in order that you might become thoroughly acquainted with the management of the institutions and the care and attention received by the inmates.

"I shall not go into detail as to the needs of our State institutions because these matters will be brought to your attention by members of the State Board of Control and other State Officials, but I deem it important to say that one of the crying needs of our State institutions is additional lands and the erection of new buildings. The penitentiary, our boys' reform school, our girls' industrial home and our educational institutions as well as at least two of our asylums should have additional lands for farming and truck raising purposes and I believe that it would pay the State in dollars and cents to buy more land for each of these institutions; and in addition to the financial benefits I am sure that the inmates of our penal and charitable institutions would be physically and mentally benefitted.

"It is a matter of concern to every citizen of this State that the number of insane, idiots, imbeciles and degenerates is increasing and that our charitable and penal institutions will have to be enlarged or something done to prevent the increase in the number of our wards, and I would not have you believe that the matter of expense is the only thing to be considered. On the contrary the influence on society is the more serious aspect of the case. The superintendents in charge of our asylums recommend a proper sterilization law so safeguarded as to inflict no wrong upon any, but which will protect the rest against such impurities. As one superintendent has well said, "We call it humane to assemble in our asylums and care

**Prison school.**

**Farm work.**

**Sterilization.**

**Increased receipts from prisoners' labor.**

for these people but it is certainly the very antithesis of humanity to permit them to propagate their kind." The superintendent of the hospital at Weston reports that 461 patients were admitted to his institution during the years 1911 and 1912, and of this number 139, or a little over 31 per cent, had a history of hereditary insanity. The superintendent of the West Virginia Asylum at Huntington says, that in many instances he has seen mental defectives who have been discharged return to the Asylum accompanied by a child born during the time of the discharge of the patient. This superintendent recommends a sterilization law modeled after that of Indiana and New Jersey.

"The following is a condensed statement showing the price at which convict labor at the penitentiary is contracted:

"When the Board of Control came into office July 1, 1909, the labor of all the male convicts in the Penitentiary was employed at fifty-two cents (.52c.) per day.

"One contract, however, had been awarded by the Board of Directors in April, 1909, at 65c. per day, but this contract did not become effective until October, 1909.

"At the time the Board of Control came into office the female convicts were employed at 26c. per day, half as much as was received for the labor of the men. At present the same amount is received for the labor of the women as for that of the men.

"Contracts now in force are as follows: Labor of 450 convicts at 65c per day, 100 at 70c per day, and 275 at 75c per day.

"Many of the jails and almshouses of this State are a positive disgrace. The health and lives of the inmates are endangered because of unsanitary conditions. In addition to that the rule among the several counties of the State is to sell the contract for keeping our poor at the lowest price and necessarily the man who secures the contract feels that he must so keep the poor as to make a reasonable profit. This system is wrong. We should pay whatever is necessary in order to properly provide for those who are unable to take care of themselves, and we should not trust the keeping of unfortunate people to men who may make a bad contract and then undertake to make a good contract out of it at the expense of those who are entrusted to their care and keeping.

"Many states of the Union have a State Board of Charities, but it seems to me that we can look after this work if our State Board of Control was given authority to provide for the enforcement of rules and regulations which it may adopt for the government of our jails and almshouses. This would entail but little expense. Probably one man charged with the duty of looking after these institutions and seeing that the inmates are properly cared for would be sufficient for the present at least."

Governor's Message, pp. 10-18.

**State Board of Control to have authority over jails and almshouses.**

**FRANCIS E. McGOVERN,  
GOVERNOR OF WISCONSIN.**

Road work.

"Some states are now employing their prison convicts in building highways. Colorado has been especially successful in the development of this idea. If it be possible to apply it advantageously in Wisconsin, it is highly desirable; but before finally deciding the matter preliminary experiments should be made. I respectfully recommend therefore that the Board of Control and the Highway Commission be given authority and a limited appropriation to carry on a joint investigation of this subject by the use of a limited number of convicts in road work in the northern part of the state, preferably on lands reserved for reforestation, and that they be required to report to the next legislature the results of the experiment, together with their recommendations."

\* \* \*

**Abolition of contract system.**

"One of the subjects investigated by the Board of Public Affairs during the past year is the advisability of abolishing the present system of prison contract labor at Waupun. In the main, this institution is well conducted. The prisoners are treated kindly, are well fed and well housed, the buildings are kept in a clean and sanitary condition, excellent discipline is maintained and good educational facilities are provided. In a word, everything that affects the physical and moral well-being of the inmates is reasonably satisfactory.

"But the business or industrial side of the institution is not so free from cause for fair criticism. By the terms of its contract with the Paramount Knitting Company the state now receives 65 cents a day for the labor of convicts employed by it in the manufacture of knit goods. For this sum the state furnishes not only labor but also buildings, heat, light, and power to run the machinery at which the prisoners work. These additional items of rent, heat, light and power amount roughly to about 25 cents a day, thus leaving only 40 cents per day as compensation for the work of each convict. There is little cause for surprise therefore that the state prison is not self-supporting. On the contrary, the last legislature appropriated \$50,000 a year for its maintenance. The Minnesota state prison at Stillwater, with about the same number of inmates of the same general character but differently employed was conducted last year at a profit of \$150,000.

"Undoubtedly many of our prisoners are capable of earning from one to three dollars per day at proper employment. The knitting company now has a contract at a net rate of about 40 cents a day because no one bid higher at the time the agreement was made.

"The objections to the present arrangement seem to me to be serious enough to deserve your earnest consideration. In the first

**The prisoner's earnings for the prisoner's family.**

place, the prison should be self supporting. There is no good reason why the law-abiding people of Wisconsin who have once suffered injury by infraction of their criminal statutes should be further burdened by the maintenance of these criminals after they have been caught and sentenced. Under proper conditions the state prison should not only be self-supporting, but the convicts should be made to work hard enough and at employments productive enough to enable the institution to realize a substantial profit each year. Part of this surplus might appropriately go to the state to compensate it and its local subdivisions for the expense of maintaining the courts in which the prisoners were tried, but another part—and a large one—ought to go to the convicts themselves to enable them to maintain their families if they have any and at the expiration of their terms to go wherever they believe they have the best chance of making a new start in life. But of course neither the state nor the inmate can be benefited in these ways unless the institution is more than self-supporting.

"In the second place the convicts at Waupun learn no useful trade or employment while working under this contract. Attending a knitting machine is girls' work—not men's. However proficient in it able bodied men may become during their life in prison there is little likelihood that they will ever resort to it after they have regained freedom. This, it seems to me, is a very grave defect. The fundamental requirement of the convict is training and education such as will enable him to earn an honest living after he leaves the prison. Our penal and reformatory institutes are filled with ne'er-do-wells who are there largely because they have been unable to meet the competition of normal individuals in the ordinary walks of life. Prison training and discipline should have as its main purpose to put them on their feet. It should supply them not alone with a motive and disposition to obey the law, it should give them confidence and ability to hold their own in the struggle for existence as it is carried on outside prison walls.

"The present plan is therefore burdensome to the tax payers of the state and unfair to the prisoners.

"On the other hand, it furnishes steady employment for all convicts who are able to work. It thus ensures against enforced idleness—the worst vice of prison life. Though under it the institution is not now self-supporting, with certain improvements it may possibly be made so.

"During the past year under the terms of a law enacted at the last session of the legislature a plant for the manufacture of binder twine was established at the state prison. This industry has been profitably conducted in the penitentiary of Minnesota and elsewhere and there is no reason why it should not also be a success here. If so a portion at least of the prisoners at Waupun will be profitably employed at work at which they may derive skill and training that

**Industrial education.**

**Board of Control discretionary power over industries.**

will fit them later for useful employment. In another part of this message I have recommended the employment of some of the convicts at Waupun in an experimental way in the work of road building. But better than the legislative selection of any specific employment or industry would be the enactment of a statute which would confer upon the Board of Control discretionary authority to employ the convicts in such manner as will conduce to the advantage of the state, the welfare of the prisoners and their proper training and equipment for honest employment when their sentences have been served. It is not wise or prudent to attempt to remodel an institution of this sort all at once. The change must be made gradually and the transition from the contract labor system to manufacturing on state account or for state use, according as one or the other may be preferred by the legislature or by the Board of Control, should be effected gradually in order that all the prisoners may be kept employed at some useful work all of the time.

"When the State Board of Control was created twenty-two years ago there were six institutions under its supervision. Now there are ten. Meanwhile the inmate population of these institutions has more than doubled. As a result the work of the Board has greatly increased. It spends now over a million dollars a year. In addition to the management of these institutions it paroles inmates from the Industrial School for Boys, the Wisconsin State Reformatory, and the State Prison. It administers in part the probation law. It is also charged with responsibility for the proper business management of the new binder twine plant at Waupun. All these duties, new and old, have crowded upon the members of the Board until they are overworked.

"Nevertheless under the law it is their duty also to inspect county asylums, poor houses, jails, city lockups, work houses, houses of correction and some private correctional institutions. What this requirement signifies in its demands upon the time of the members of this board will be appreciated when it is known that there are in this state subject to such inspection 34 county asylums, 42 county poor houses, four city poor houses, 70 jails, 318 police stations and lockups, two county sanatoria, and 88 private benevolent institutions. Manifestly it is a physical impossibility for the Board of Control to do all this work in addition to the proper performance of its other duties.

"In view of these facts I respectfully recommend that the law be so amended as to authorize the Board of Control to appoint such numbers of agents or deputies as may be needed at fixed salaries, to make inspection of these county and local institutions under its direction. Just as good inspection service may be rendered by such an agent or deputy who has made a special study of this particular work at a considerable saving in expense to the state. At the same

**Additional inspectors for county and city institutions.**

**Improvement:  
of condition:  
in penal ins-  
titutions.**

time this work should not be turned over completely to such agents or deputies but the Board itself may be left to do such part of it as their time will permit or they may deem necessary."

Governor's Message, pp. 14, 24-28.

**JOSEPH M. CAREY,**  
GOVERNOR OF WYOMING.

"Improving the condition of the inmates of the penitentiaries and other penal and semi-penal institutions of the several states involves and presents questions which are being considered by state authorities and discussed by those who love their kind and who are always alert to help the unfortunate.

"Much has already been done in an experimental way. It must be acknowledged that the old system of managing such institutions did not bring satisfactory results.

"It is conceded that in depriving one of his liberty for the commission of a crime several things should be considered by a state: Among these, actually to punish for the commission of the crime, to make such an example as will deter others from violating the laws, and not least, to make a better citizen of the convict.

"Perhaps little can be done to ameliorate the condition of the hardened criminal, the convict who is naturally vicious. A "life term" is at all times an embarrassment and impediment to the management in securing the best discipline. For him there is but little incentive to do the best he can, for his only hope is in escape or executive clemency.

"It is not an exaggeration to state that of all the convicts in the penitentiary at least 50% are not hardened criminals, and if they were outside the penitentiary, under some good direction, they would make good citizens—better, perhaps, than many who are at liberty and who have not been detected and punished for violations of the law.

"Criminals of this class were perhaps the result of environment, or accident, or circumstances over which they had but little control.

"Often the basis of the trouble, especially in the cases of very young men, has been intoxicating liquors or drugs which destroy will power.

"In the penitentiary there are those who at the time of their conviction had not yet reached their majority. There are young men who had not been long enough in contact with the world to have fixed habits of control of themselves.

"I was much impressed with a letter which I read some time since which was written by Mayor Gaynor of New York City, a very able man and a man who has had much experience with criminals. The letter was addressed to a convict in the Sing Sing prison of New York, and in it he said: "I am well aware that many of you

are not really bad men, but unfortunate men, and that God so sees you. There are many of us who would be the same as you are if we had met the same troubles and obstacles in our lives; so do not be discouraged."

"I am convinced that to put a man in the penitentiary where he has but little sunlight and exercise in the open air, means his moral degradation. It breeds disease, causes the commission of crimes too horrible to be mentioned and the destruction of health. Such conditions will often break down the strong and those with the best intentions, when entering the penitentiary, to reform and lead better lives after their discharge.

"Does not a state owe much, even to its convicts, so far as their improvement morally is concerned, and so far as fitting them for better citizenship when they have received their freedom?

"That I sympathize with many in our own penitentiary I do not deny. I wish it were in my power to help them, especially those who were not bad men when they entered the penitentiary.

"Some states have gone far to improve conditions, but in other states little attempt has been made to reform, and the poor creatures who go to the penitentiary may as well leave hope behind and abandon all effort to become better men and women.

"During the past two years the Board of Charities and Reform of this State, with the means at hand, has tried to improve the condition of the convicts in our penitentiary. Under the circumstances, much has been accomplished. While some things have occurred which were unfortunate, they are no more than have occurred in other penitentiaries. Conditions have been much improved and the impartial investigator may at least be inspired with hope for the betterment of our system, even under the existing laws.

"The Board of Charities and Reform has worked faithfully to carry out the purposes and intentions of the laws enacted by the last Legislature. The parole system has been utilized and but few failures have occurred under it. It is indeed gratifying to the Board to find how many people in this State are willing to take up themselves the burden of paroling convicts. Often ranchmen and farmers are glad to have these men.

"We have used the convicts on the public roads to the extent of the demands made by the counties, as allowed by law. The results, as represented by the counties in the miles of good roads constructed, have been most satisfactory. There have been few escapes from the two squads of men thus employed; indeed, the trouble of the Warden in this respect would have been reduced to the minimum if we had been able to find efficient guards and if outside persons had not been wicked enough, whenever an opportunity was offered, to furnish whisky to the convicts who had been addicted to the use of intoxicants before entering the penitentiary.

**Road work.**

**Construction  
work by con-  
vict labor.**

"It must be understood that the work of convicts on the roads causes a pecuniary loss to the State that it would not suffer if it had opportunity to keep the convicts fully employed at profitable labor at the penitentiary. What the State loses the counties gain, and the work on the roads is especially healthful to the convicts.

"There has been no leasing of convict labor since the present administration obtained control of the penitentiary. The Board of Charities and Reform entered into a contract to make brooms at so much per dozen. The State, however, retains absolute control of the convicts. This broom work was carried on very successfully until the factory building at the penitentiary was burned. The building destroyed was not a fit place for men to work. It was dilapidated and was a constant menace to life and property because of the combustible material out of which it was constructed and the accumulation of dust, etc., and the storage of the material required in the manufacture of brooms.

"After the building burned the Board commenced to construct a proper building for factory purposes, with convict labor. This building, while not yet fully equipped, is now in use. It will be used for manufacturing purposes. It has cost the State in actual money probably but little more than \$12,000. Without the convict labor it could not have been constructed for less than double that amount. It is a large, single story building of concrete, two hundred feet long by one hundred feet wide, with a wing. It is of slow burning construction.

"One principle must be borne in mind at all times; to do the best possible thing for the convicts they must have such labor as to give them steady employment. They themselves prefer it to confinement. Idleness makes worse criminals out of those unfortunate enough to be criminals and does away with the hope of getting any percentage of good citizens out of those who have been discharged after serving terms of imprisonment.

"The Penitentiary at Rawlins was built a good many years ago. It has but few modern conveniences. Electric lighting should be established in the building so that the use of kerosene can be done away with, especially in the cells. Toilets should be so located as to avoid breeding pestilence and disease. The building should be generally renovated.

"An appropriation should be made for building a wall of stone or concrete to prevent escapes. This wall should enclose a much larger area than is enclosed by the present wood stockade, which is worn out. Most of these improvements may be made with convict labor, but the cost of the cement and other material will be considerable.

"At a previous session of the Legislature \$12,000 was appropriated for a water system for the penitentiary which cannot be wisely used at this time, and there is \$15,776.92 in the land income

**Appropriation  
for improve-  
ments.**

fund for a penitentiary in Albany County. These funds the Attorney General had decided could be used. I would suggest that authority of law be given so that these two funds can be transferred to make the necessary improvements at the penitentiary.

"With the construction of an industrial institute, as provided by law, the penitentiary at Rawlins will, in all probability, be large enough for the demands of the State for many years to come, but the penitentiary should be improved and modernized.

"In justification of all I have said on this subject I think I have only to quote the Constitution of the State, which provides that, "The penal code shall be framed on the humane principles of reclamation and prevention."

"And again, "No person arrested and confined in jail shall be treated with unnecessary rigor. The erection of safe and comfortable prisons and the inspection of prisons and the humane treatment of prisoners shall be provided for."

Governor's Message, pp. 18-21.

**Constitutional  
provision for  
humane treat-  
ment of pris-  
oners.**

A Summary of the references to Prison Labor in the Platforms of the different parties for 1911-12 has recently been issued by this Committee. A Summary of the Legislation on the subject for 1912-1913 is in process of preparation.

## MATERIAL ON PRISON LABOR.

### BULLETINS

- Prison Labor Bulletin, Vol. I, No. II.....August, 1911.  
Prison Labor Bulletin, Vol. I, No. III.....March, 1912.  
Prison Labor Bulletin, Vol. I, No. IV.....November, 1912.  
Prison Labor Bulletin, Vol. I, No. V.....July, 1913.

### LEAFLETS

(Price Ten Cents.)

- No. 1. "National Committee on Prison Labor, its Origin and Purpose." (Out of print.)  
No. 2. "Making Roads through Prison Labor."  
No. 3. "Prison Labor in the Party Platforms of 1910."  
No. 4. "Prison Labor in the Governor's Messages of 1911."  
No. 5. "The Prison Labor Movement of 1910-1911 as shown by Party Platforms, Governors' Messages and Legislation."  
No. 6. "Trade Unions and Prison Labor"....E. Stagg Whitin, Ph.D.  
Reprinted from "Case and Comment," September, 1912.  
No. 7. "Prison Labor in the Party Platforms of 1911-1912."  
No. 8. "Prison Labor in the Governors' Messages of 1912-1913."  
(Twenty-five Cents)  
No. 9. "The New Penology".....Theodore Roosevelt  
No. 10. "Women and Prison Labor".....Helen Varick Boswell  
No. 11. "The Wage Earner and the Prison Worker"....John Mitchell  
No. 12. "Prison Labor and Prisoners' Families".....Jane Addams  
No. 13. "Why I could not pardon the Contract System".....Geo. W. Donaghay  
No. 14. "Prison Labor on Public Roads".....Thomas J. Tynan  
No. 15. "The Reform of the Individual".....Frank Moore  
No. 16. "Prison Labor in the District of Columbia"....Wm. H. Baldwin  
No. 17. "The State-Use System".....Collis Lovely  
No. 18. "Prison Labor and Social Justice".....F. Emory Lyon  
No. 19. "Prison Labor Reform in New Jersey".....C. L. Stonaker  
No. 20. "The True Foundation of Prison Reform"....Thos. M. Osborne  
No. 21. "Employment of Prisoners".....Elizabeth Fry

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#### "THE CAGED MAN."

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July, 1913, Vol. III, No. 4. Price \$1.00.

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Annals of the American Academy of Political and Social  
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#### "REPORT, COMMITTEE ON PRISON LABOR."

Proceedings, American Institute of Criminal Law and Crimin-  
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#### "PRISON LABOR—Where Are We and Whither Are We Going?"

Thomas R. Slicer

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John P. Frey

(Reprinted from "Proceedings of the National Conference of  
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#### "PRISON LABOR".....E. Stagg Whitin, Ph.D.

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#### "PRISONERS' WORK".....E. Stagg Whitin, Ph.D.

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### BOOKS

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